

*Phelps*  
*Crittenden*

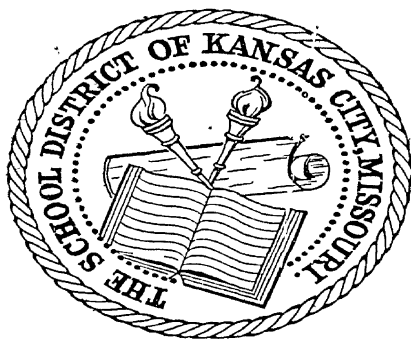
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1852



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*The*  
*Messages and Proclamations*

OF THE

*Governors*

OF THE

STATE *of* MISSOURI



COMPILED AND EDITED BY

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VOLUME VI

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1924



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## PREFACE

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This volume of the "Messages and Proclamations of the Governors of the State of Missouri" includes the messages and proclamations of Governors John Smith Phelps (1877-1881), and Thomas Theodore Crittenden (1881-1885).

FLOYD C. SHOEMAKER.

Columbia, 1924.







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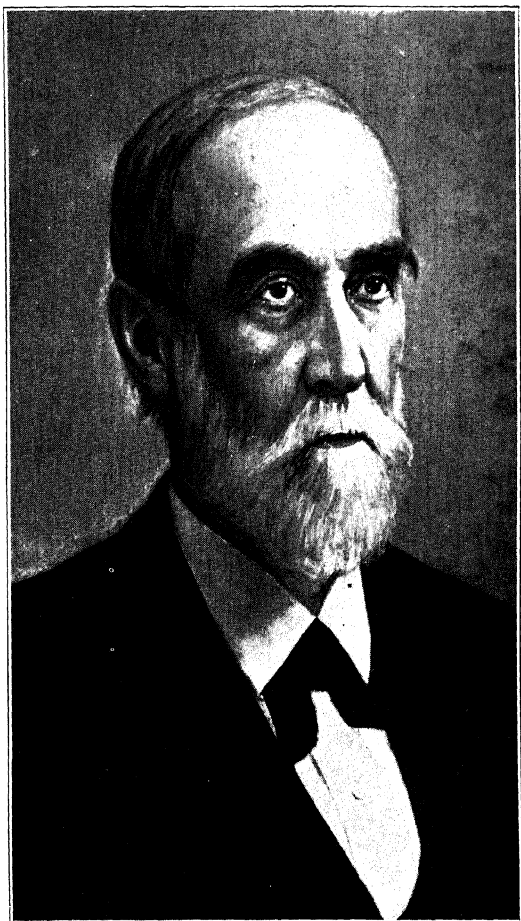


GOVERNOR JOHN SMITH PHELPS









JOHN S. PHELPS  
Governor 1877-1881







# JOHN SMITH PHELPS

BY

JOHN S. FARRINGTON

John Smith Phelps, lawyer and statesman, was born in Simsbury, Connecticut, on December 14th, 1814.

He followed in the footsteps of his father, Elisha Phelps, who was admitted to practice law in Hartford, Connecticut, in 1803, served in both branches of the State Legislature, and was afterwards sent to Congress for two terms having been elected on the Democratic ticket.

After receiving his degree at Trinity College, Hartford, Conn., in 1832, John S. Phelps entered his father's law office where he laid the foundation for his legal career, practicing there until 1837.

Having married Mary Whitney of Hartford, he soon thereafter turned his face toward the west, settling in Springfield, Missouri, in which place he made his permanent home. On his arrival in Missouri he learned that licenses to practice law were issued only after an examination. He sought Judge George Tompkins, who was then on the Supreme Court of Missouri, and was one of the first three members of that court, and applied for admission to the bar. It is said that at that time Judge Tompkins was clearing the timber off of a piece of land in Cole County and that the examination of Phelps took place out in the clearing, both Judge and applicant seated on a log. The examination resulted in the issuance of a license which was written and signed by the Judge on a page torn from a memorandum book. His force of character, democratic manner and educational equipment soon won for him a large clientage and many friends.

Within three years after locating in Springfield he was elected to the State Legislature.



When he began the practice of law in Missouri it was necessary for a lawyer to be a good horseman and to be able to adjust himself to any and all conditions, for the circuit had to be ridden by both Bench and Bar. It was doubtless in this way that he attached to himself the host of clients and friends who could be depended upon to support him in his stand on public questions. The late Admiral Sebree related to the writer of having at one time seen Phelps in St. Louis. The Admiral, a small boy, had accompanied his father to St. Louis who had gone there on business. While they were seated in the lobby of the old Planters Hotel they saw a distinguished, striking looking man walk through the lobby. The boy turned to his father and inquired who he was. He was informed that it was John S. Phelps of the Ozarks. He was then told that the Ozarks was a vast region or territory in Southern Missouri, mountainous and sparsely inhabited, and that the people of that section were always most interested in two events, one being whether the hickory nut crop would be bountiful next season, and the other whether John S. Phelps would be re-elected to Congress.

He was elected to the Congress of the United States first in 1844 and served continuously for 18 years. During this service he was on the Ways and Means Committee and for some time was Chairman of that important Committee.

No man in Congress, during his incumbency of that office, wielded more force than did Phelps. His education, high integrity, ceaseless labor, democratic and brusque manner surrounded him with a following from the South, East and West to such an extent that no important measure could be passed without his support.

While he was Chairman of the Ways and Means Committee he was sent to New Mexico to superintend the location of a transcontinental railroad, and as a result of his report on the same to the Congress the Santa Fe Railroad was granted a right of way.

His influence was always exerted toward pacifying the two contending parties on the slavery question, but when



the War came on he, being a Douglas Democrat, had no hesitancy in standing for the Union. It was only because of his northern birth and Union sympathies that he was defeated for Speaker of the House, a position to which his rank as Chairman of the Ways and Means Committee entitled him.

The fight in Congress over the admission of Oregon to statehood gave way when he was, after much solicitation, won over to that side.

It is a coincidence worthy of notice that later his only daughter, Mary, became the wife of Colonel John B. Montgomery, a prominent citizen of Oregon, in which State she afterwards made her home.

When the Civil War came on he raised a regiment that participated in the battle of Pea Ridge. He afterwards was appointed Military Governor of Arkansas, which he gave up on account of ill health. He attained the rank of Brigadier-General in 1862.

In 1864 he again resumed the practice of law in Springfield. The law firm of which he was the senior member was organized under the style of Massey, McAfee and Phelps. Contrary to the usual custom, the youngest member was placed at the head and the senior at the end.

Missouri has produced no stronger firm of lawyers than this trio, Benjamin U. Massey, Captain C. B. McAfee and John S. Phelps.

In 1868 he re-entered the political arena and was nominated for Governor on the Democratic ticket and was defeated for election. His party again gave him the nomination in 1876, and as a result he was elected by an overwhelming majority. He was Governor of Missouri from 1877 to 1881, and ever since the members of both political parties have characterized his term as a strong and splendid administration.

He was a firm believer in law enforcement, and his experience as a lawyer had taught him that the best way to bring about law enforcement was to let the verdicts of



juries and sentences of courts stand. A story of his firmness in this respect was related to me by an eye witness.

On one of his visits to Springfield while he was Governor, a mother came to see him. Her mission was to plead for the life of her son who had been tried by the court and found guilty of murder. They went into his private office where he heard her story—after so long they came out. The Governor had said No, but he was crying and seemed more affected than the mother. His answer was, "Your son has violated the law and I cannot allow my sympathies or personal wishes to set that law aside."

His name has been perpetuated not only by his acts and deeds as a citizen both in private and public life but as well by the citizens of his home who in memory of him have dedicated a public school to his name and have set apart a beautiful park in the south part of the city known as Phelps Grove Park. It is a part of the old Phelps estate, land that he once owned. He died in St. Louis on November 20th, 1886, and was buried in Hazelwood Cemetery at Springfield, Mo.

Missouri, since organized as a state, has contributed much in statesmanship to the country. In that period, beginning 30 years prior to the Civil War, and continuing to 1890, three statesmen stand out above them all. The name of one of them is Benton, of another Blair, and of the third is Phelps. His influence has reached much farther than he ever dreamed it would while he was a principal character in the scenes of his time. It was only last year that Governor Pinchot of Pennsylvania said that it was his hope that he as Governor of Pennsylvania might follow the precepts of his ancestor, once Governor of Missouri, John S. Phelps.



## INAUGURAL ADDRESS

FEBRUARY 8, 1877

*From the Journal of the House of Representatives, pp. 52-59*

---

*Mr. President, Senators and Representatives:*

Called by the voluntary suffrages of the people from private life to fill the office of Chief Executive of this great State, I appear before you to solemnly pledge myself to the faithful performance of the duties which pertain to that office.

With the duties and responsibilities of public life in high and important trusts I have been familiar, and whatever of experience I may have had, only the better qualifies me for the discharge of the important duties which now devolve on me.

I hope I have a profound regard for the great trust I am about to assume, of its grave duties and its heavy responsibilities; and though conscious of my own weakness, as well as of the magnitude of the charge, I faithfully promise to dedicate my abilities to the assiduous discharge of the duties entrusted to me. And to you assembled here today, and through you to the people of this State, I return my profound thanks for the high and distinguished honor which has been conferred on me.

I hope, that during my official career, I shall be encouraged in the discharge of my public duties with the generous confidence and cordial support of the people of the State.

I trust we are assembled, not as partisans, but as patriots, with a sincere determination to support the right, and to condemn the wrong. We are assembled not to carry out our own wishes, but to respect and speak the voice of the people, restrained within constitutional limits.



For a time the destinies of the people of this State have been confided to us, and it is to be hoped our deliberations will be characterized by wisdom, patriotism and justice.

#### OUR RESOURCES.

Situated in the centre of the Union, the heart of the great valley of the Mississippi—this State, now the fifth in population, will exert if wise counsels shall prevail, an immense influence in the affairs of this Union. We have but little more than completed the semi-centennial year of our existence as a State, with a population about three-quarters of a million less than the thirteen colonies had when our forefathers declared the people of the colonies free and independent. With a mild, genial and salubrious climate, suited to the production of everything, except the products of the tropics—with a kind and fertile soil, yielding bountifully to the hand of the husbandman—with numerous deposits of the baser metals more valuable to the miner and to the capitalist than mines of the precious metals—with prairie and woodland interspersed—with numerous springs and rivulets coursing through the State to the large rivers in and bordering on the State—there is everything in climate, soil, ores and natural products to invite and induce immigration and capital to our State.

Let us but perform the duty we owe to ourselves and the people of this State, and we shall rapidly increase in wealth and population.

#### PUBLIC EDUCATION.

Besides these natural advantages possessed by us in so eminent a degree, we can with pride point to our system of education, commencing with our common schools and ending with the University of the State.

The colored people, but recently kept in ignorance by the servitude which enchained them, now have all the advantages equally with the whites, of our common school system. And in addition thereto we have established a



Normal School—the Lincoln Institute—for the purpose of educating colored teachers for that race. And it is to be desired that the colored people shall furnish persons competent and well qualified to teach in the common schools, where their children are to be educated. This can and should be done. The Normal Schools, the School of Mines, the Agricultural College, and the State University have received, and I trust will continue to receive, the fostering care and support of the State government.

And here let me say that during the last few years it has been of frequent remark, that those who preceded us did not care to see sustained in this State a system of common schools. This is unjust to the memory of the true and able statesmen who preceded us.

Long prior to the late civil war a system of common schools, with provisions equally as wise and beneficent as those contained in our present laws, was established.

The people of this State increased the taxes  $33\frac{1}{3}$  per cent. in order to apportion these taxes to the support of common schools, in every county in the State. Those taxes are still continued, and are paid by the people without a murmur.

Thus, long ago, the common schools were liberally endowed, and if the system was not as prosperous as at the present time, it was in part due to its infancy, and the fact that the State, at that time, was sparsely inhabited.

And for the purpose of encouraging those who desire to qualify themselves to be teachers, we have established four Normal Schools. All of these seminaries of learning have received the liberal support of the State, and will require and should receive further aid. And another evidence that the people of this State at an early day manifested a deep interest in the education of the rising generation, we point with pride to our State University, established nearly forty years ago. It has greatly merited and has received the fostering care of the Legislature of our State, and I trust the day is not far distant when its reputation as a seminary of learning will equal the reputation of Harvard or Yale.



## AGRICULTURAL COLLEGE.

And in order to teach the application of science to agriculture, the Agricultural College has been established as a department of the University. The benefits of this institution will be manifested as its pupils shall go forth and engage in the busy pursuits of life.

## MINERAL RESOURCES.

And to further aid in developing the great mineral resources of our State, we have our School of Mines. Here the pupil, besides the other branches of education, is taught the art or science of mining and mining engineering. How to sink a shaft and make it secure—how to pursue the lode or vein of mineral in the most economical and safe manner—how to analyze the mineral and determine its economical value, are branches of knowledge important to those who are engaged in mining, and are taught in this school. Whilst in this State the precious metals have not been found in sufficient quantities to justify their working, yet the State abounds in ores more useful and therefore more valuable.

The inexhaustible mines and mountains of iron in this State are well known. Iron ore of good quality is found in many counties, and so abundant is it that we may justly claim no State exceeds ours in this respect.

The discoveries made in the last three or four years of lead and zinc deposits have given a new impetus to the mining of these ores. This branch of industry has greatly increased, and no pursuit in this State holds out greater inducements to men of capital, of enterprise and of skill, than the business of mining. Those who have been engaged in these enterprises have received a liberal return upon the labor and capital invested.

Coal, so much needed to facilitate commerce and manufacturing abounds in many counties of the State.

The fuel and raw material required by both the miner and manufacturer, are almost in contact with each other, inviting the skill of the artisan to convert them into more valuable products.



We can manufacture at as little cost as it can be done in other States, and we may confidently look forward to the time, not far distant, when we shall see manufactories in every part of our State, adding to its population, wealth and prosperity.

#### CHEAP TRANSPORTATION.

The commerce of this State is gradually increasing, and each year adds to the facilities of transportation, with diminished cost. Some of the railroads of the State, during the financial crisis, have been compelled to go into liquidation. New companies have been organized to manage them.

The volume of commerce on the rivers in and bordering on the State has greatly diminished, and yet the commerce of the State, on the Mississippi and Missouri rivers, is of immense value.

Transportation by water is cheaper than by railroad, and until freights shall be carried as cheap by railroad as by water, the great bulk of our agricultural products may be carried to market on the water routes.

We require cheaper transportation, and demand the railroads in this State shall not discriminate in their freights against the interests of our people. This demand is reasonable and should be granted.

#### NEW CONSTITUTION.

Since the adjournment of the last Legislature the people of the State have adopted a new Constitution. Many restrictions on the power of the Legislature have been incorporated in it, and safeguards adopted to insure pure and wise legislation.

Whilst those safeguards may render the enactment of laws more tedious and tardy, yet it fastens the responsibility of legislation upon all the members of the Legislature instead of a few—all now have the opportunity to know, with no great effort of their own, the contents of all bills about to be signed by the presiding officers of the two



houses, and to observe whether, in their enactment, every requirement of the Constitution has been obeyed.

It is better to proceed cautiously and be right, than proceed rapidly, and perhaps be wrong.

We are called upon to adapt the laws of the State to the requirements of the new Constitution. Many of the laws require modification that they may be conformable to it. Many reforms have been introduced in that Constitution, and legislation is required to give them effect.

The people of this State have sensibly felt the inconvenience and misfortune of a public debt. To prevent its increase, or a recurrence of that evil; no debt of magnitude can be created by the State, or by any municipality, unless with the consent of two-thirds of the voters, at an election to be held for that purpose.

And in addition thereto, provision must be made for the levying of a tax for the payment of the interest regularly, and the payment of the principal within a given time. Had such provisions been contained in our former Constitutions, much of the indebtedness with which the State and the counties are now burdened would not have been incurred; and whilst we look to this Constitution as the embodiment of many reforms, let us be careful that in future legislation we shall introduce reform where reforms may be demanded, bearing in mind, however, that all amendments of laws are not reforms.

The people of this State have fixed the maximum of taxation for its ordinary expenses. In the execution of the laws for the assessment of property much property is assessed too low, and no inconsiderable amount escapes taxation altogether. And this disposition to evade taxation is more strongly exhibited in times of financial distress and embarrassment.

#### RETRENCHMENT.

Whether the ordinary expenses of the State can be defrayed with the means obtained by the present rate of taxation, is a problem now about to be solved.



We must economize; we must reduce the expenditures of our Government. It may be difficult to do so, *but it must be done.*

We must bear in mind that the exactions of more taxes than is necessary for the economical administration of our Government plunders the people.

Taxation is cheerfully borne when the public exigency demands it. We should endeavor to place taxation at its lowest limit. A vast area of our State is uncultivated. Much of our mineral wealth is not developed. We invite population. And if to all our sources of wealth and prosperity we can, with truth, say the taxes of the municipal and State governments are low, we offer strong inducements for the enterprising, industrious and intelligent people to make their abode with us. And if the laws we may continue on our statute book, and those which we hereafter enact, shall contain wholesome, beneficent and wise provisions, and if our laws shall be faithfully executed and impartially administered, with light taxation and economy practiced in every branch of the public service, we may expect to see the wealth and population of our State rapidly increase.

"The world is governed too much," is an old and trite saying, and yet true. But few laws are really necessary for the government and good order of a community. The frequent change and alteration of laws create confusion and perplexity, and should therefore, if possible, be avoided. But the rule should not lead to the continuance on the statute book of a law whose provisions are unwise, and which operate in a harsh and oppressive manner. If any such there be, let the remedy be administered.

The peace and good order of a community depends, in a great degree on the faithful and impartial execution of the laws. We have not yet reached the millenium. Human nature is the same it has been for the last six thousand years. Crime will be perpetrated, and criminals must be punished. The certainty and not the severity of punishment deters the commission of crime.



## EQUAL RIGHTS.

The laws we enact are for the benefit of all, and to operate alike on the high and the low, the rich and the poor. So in the execution of the laws no distinction should be made. Within a few years past, freedom, the right of suffrage, eligibility to office, and in short the same civil rights the white man enjoys have been conferred on the colored race.

No one seeks to deprive the colored man of the rights he enjoys, and if the attempt should be made it would be futile. Equality of civil and political rights will continue as long as this government shall endure. The laws are as much for the benefit and protection of the one as for the other, and must be executed and enforced on all alike. I promise, as the Chief Executive of this State, to execute the laws faithfully and impartially, regardless of all considerations, except what right and justice demand.

## REVISION OF LAWS.

To comply with the requirements of the Constitution, a revision of the laws of a general and a public nature must be made by this or by the next Legislature.

I recommend provision be made for the appointment of a committee or a commission of able jurists, who shall prepare a revision of our laws, and make report of the same to the Secretary of State prior to the meeting of the next Legislature.

It will be advisable to authorize the Secretary to have the report printed, so that it may be distributed to the members of the Legislature at the commencement of the session. In this manner the task of the revising Legislature will be greatly lightened and its labors much reduced.

## PURITY OF THE BALLOT BOX.

Our government being based on the will of the people, expressed in a legal manner, every safeguard which can be devised to secure a free and fair expression of the voice of the people, and to preserve the purity of popular elections



should be adopted. Both parties ought to be represented by the officers whose duty it shall be to manage and conduct elections. Those officers are the guardians of the ballot box, and through it the will of the people is expressed. Any act on the part of such officers to thwart or to pervert the will of the people is an inexcusable crime. Such acts strike at the safety and perpetuity of our government, and ought to be promptly and severely punished. It appears from some judicial proceedings in this State, that probably local officers of elections have in some instances been guilty of the grave offense of attempting to subvert the will of the people by various fraudulent contrivances. If the laws prohibiting frauds in elections do not include such cases then provision should be made to punish such offenses.

#### PRESIDENTIAL ELECTION.

A greater interest was manifested in the recent election for President than was ever before exhibited. This is attested to by the large vote given in that election, the aggregate popular vote exceeding that which was given four years ago nearly two millions. But notwithstanding the election took place two months ago, and the electors cast their vote for President and Vice President one month ago, many are unwilling to submit to the popular will. It is true the electoral votes have not yet been counted by the proper authority. No Government resting upon the will of the people can give the confidence and stability essential. not only to the material prosperity of the country, but to its perpetuity and well being, if that will is endangered or subverted. It is therefore a solemn duty devolved upon each citizen to insist that despite frauds or partisan schemes, those whom the people have chosen to the highest executive offices shall not be prevented from occupying the posts of duty to which they have been fairly elected. No State in the Union will, more loyally than Missouri, submit to and uphold whatever Federal administration shall be constitutionally established; and the citizens of this State, irrespective of personal or partisan preferences, demand that



whoever have been constitutionally chosen President and Vice-President of the United States, shall be duly inaugurated as such, despite all factious or revolutionary schemes, no matter by whom contrived or by what means sought to be enforced.

The duty, under the Constitution of the United States, evidently devolves upon some tribunal to determine in cases of fraud or doubt, who have been elected to the highest executive offices of our common country. In the absence of the required majority, the House of Representatives has to choose from the three candidates receiving the largest number of electoral votes. If the President *pro tempore* of the Senate is to count the electoral votes and decide upon all contested cases, then as that officer is the creature of the Senate, the latter branch of Congress, and not the House of Representatives will virtually elect the President when the people shall have failed to make a choice, or when through partisan or other reasons he chooses to decide that no choice has been made, or to receive or to reject the electoral votes of one or more States. Even in the ordinary conduct of private affairs fraud and chicanery are not permitted to prevail, and shall it be maintained that they are to be successful in defeating the expressed will of the people, through arbitrary or technical forms, without the power anywhere to prevent the attempted outrage?

It is evident the Senate and House are not mere witnesses of the formal opening of the certificates, but that each, with equal power to act, must concurrently determine what electoral votes are to be counted, and that without such concurrent action disputed votes must stand rejected. On no other theory can the two Houses of Congress uphold their true position under the Constitution, which requires that each shall concur before any act, legislative or otherwise, within Congressional authority, shall be successful or obligatory. This is the more obvious from the fact that the power of independent action is called into potential existence only when by concurrent action it has been determined that no choice for President or Vice-President



has been made. Then for the first time under the Constitution is there a separate and distinctive duty devolved on each branch of Congress; the Senate as such, to elect a Vice-President, and the House, a President of the United States. The true theory of the Constitution calls, therefore, for concurrent action, without which no result is obtained with the single exception named; and the separate powers of each arise for the first time, and only when by concurrent action there is a failure to decide who are the chosen of the people. It therefore follows that the duty is constitutionally devolved, not on the President *pro tem.* of the Senate, but solely upon the two Houses of Congress, to determine what electoral votes are to be counted, and then to count the same, and in the event of their failure to concur as to any disputed vote, that the same must stand uncounted or rejected, because, in the judgment of Congress, they are votes not cast by electors duly appointed within the meaning of the Constitution.

The next inquiry would then be whether any candidates had received a majority of the votes thus solemnly determined to be the only ones cast which could, under the Constitution, be considered. In other words, when by such action of the Senate and House of Representatives, it has been decided what votes are alone to be counted, the majority of those votes must determine the election. Should no candidate receive such majority, then the independent action of each branch of Congress is evoked, the Senate to elect the Vice-President, and the House of Representatives the President.

Such seems to be the only sound interpretation of the Constitution with respect to possible contingencies, should both the Senate and House fail in the result. It is to be hoped no such grave contingencies will arise, and why should any disturbing elements exist?

The full and evident expression of the popular will as to the Executive administration of national affairs during the next four years should have silenced all controversy as to the intelligent wishes of the American voters; no possible



room for cavil can exist, nor can there be as to numerical and constitutional majorities, unless fraud and chicanery are to prevail. The reverence for constitutional law, upon which our liberties rest, the moral sense of every conscientious citizen, and the dictates of right, justice and impartiality, demand that the will of the American people shall not be thwarted through any technical or fraudulent schemes, no matter by whom or how ingeniously devised, nor by whom or how sought to be enforced. There is in the popular will a power greater than fraudulent or temporary success, and it is hoped too great even for transient triumph.

Missouri as a powerful and loyal State of our common Union, seeking the development of her vast internal resources, and contributing by such developments to the aggrandizement also of her sister States, wishes continued peace and repose, so that through her undisturbed industries all may speedily recover from the disasters of the past, and the paralysis of the present time. Let justice, honesty and right prevail. Missouri asks this, and asks nothing more, and ought to be content with nothing less.

The occasional triumph or defeat of political parties under our system of government, however important for the time, sinks into utter insignificance in comparison with even a temporary overthrow of constitutional right and justice. Let fraud, intrigue or chicanery pollute the ballot-box, or stalk unrebuked into Returning Boards or Congresses, and American liberty, as identified with popular government, will soon disappear. Every State and every citizen has a common interest in the vindication of the popular will, in upholding right and justice, and in maintaining constitutional law and liberty.

Such questions are above all partisan views, and summon the highest, purest patriotism of a people to the rescue of the imperilled country.

Invoking the aid of Divine Providence to guide and support our rulers, State and National, in their respective pathways of duty, may all questions now seriously affecting



the welfare of our State and our common country, be amicably and speedily settled.

May that love of country prevail which will overcome all sectional strife, develop our vast resources for the general good, and through patriotic fervor, bind more closely and firmly all portions of the Union in fraternal and enduring bonds, to the end that law and liberty may be the common lot and inheritance of the American people, now and forever.

[JOHN S. PHELPS]



## FIRST BIENNIAL MESSAGE

JANUARY 9, 1879

*From the Journal of the Senate, pp. 8-39**Senators and Representatives:*

I welcome you to the field of your arduous labors. An appreciative and intelligent constituency, whose voice you will speak on the important questions which will come before you, will anxiously await the results. The provisions of the Constitution limit and restrict the powers of the Legislature. The great object has been to restrict legislative action, unless it can be general and not special. Hence local and special legislation has been prohibited. If a statutory enactment shall be beneficial to the people of this county, it is presumed it will be beneficial to all the people of this State. There has been a great change in public opinion on this subject within my recollection. In former years it was said that people would not invest their money in manufacturing and other enterprises, unless those engaging in the business could obtain a special charter of incorporation; and when a general law was advocated, in order to dispense with such special legislation, it was argued no one would risk his capital, when the general law was subject to change or repeal by a subsequent Legislature. Those urging such objections to general laws for incorporations had little or no faith in the capacity of the people to govern themselves. Special laws creating corporations are prohibited; and in those States whose constitutions on that subject are similar to our own, many corporations exist, formed under a general law. So incorporations under the general law are created every day in the State. I refer to those provisions of our Constitution which prohibit local and special legislation, so that the General Assembly, as well as the Chief Executive of this State, may not, in the great desire to serve the people, be unmindful of these



salutary provisions. The Governor is required, at the commencement of each session of the General Assembly, to give information of the condition of the affairs of the State. The condition of the Treasury is a subject of grave importance, and hence I speak of it first.

#### THE TREASURY.

The Constitution contains the following provisions relating to the duties of the State Treasurer:

“All moneys now, or at any time hereafter, in the State Treasury, belonging to the State, shall, immediately on receipt thereof, be deposited by the Treasurer to the credit of the State, for the benefit of the funds to which they respectively belong, in such bank or banks as he may, from time to time, with the approval of the Governor and Attorney-General, select, the said bank or banks giving security satisfactory to the Governor and Attorney-General, for the safe keeping and payment of such deposits, when demanded by the State Treasurer on his checks; such bank to pay a bonus for the use of such deposits not less than the bonus paid by other banks for similar deposits; and the same, together with such interest and profits as may accrue thereon, shall be disbursed by said Treasurer for the purposes of the State, according to law, upon warrants drawn by the State Auditor, and not otherwise.”

From the time of the incorporation of the Bank of the State of Missouri, and until it ceased to exist as a State bank, it was the financial agent of the State. The State had, in its own right, and of trust funds, stock in that bank to nearly the amount of one-third of its capital stock, and, by law, moneys of the State were deposited in it. Whatever advantages resulted to the bank by reason of deposits of the moneys of the State, were shared by the State in proportion to its stock in that bank. When that bank ceased to exist as a State bank, there was no law requiring any moneys of the State to be deposited in any bank nor that the State Treasurer should seek to obtain interest on the money of the State for its benefit, by de-



positing it with any banking institution whatever. The duty of the Treasurer with respect to the safe-keeping of the treasure of the State is tersely defined. The law reads: "The Treasurer shall receive and keep all the moneys of the State not expressly required by law to be received and kept by some other person." The law did not require him to keep the money in the safe or vault; it did not require him to deposit it with any bank, nor with any other moneyed institution, nor was he required to deposit that money where interest could be obtained for the benefit of the State; nor was he prohibited from depositing the money in banks. The law left it to the discretion and judgment of the Treasurer alone, with no interference or supervision by any other person or persons, to determine for himself how and where he would "keep the moneys of the State." The Auditor had no authority to direct how and where the Treasurer should keep the moneys of the State. The Treasurer is required to render to the Auditor a just and true account of all moneys received and also of all moneys disbursed, and stating under each head of appropriation what disbursements have been made, and to render his accounts to the Auditor for settlement quarterly, or oftener if required. But this does not give the Auditor the power to require the Treasurer to state where he keeps the money of the State—whether it is in the vault in the Capitol, or whether it is deposited with any, and if so, with what, banking institution. Nor did the Governor ever have, nor has he now, such supervising power. The executive officers are required to perform such duties as may be required by law; but the fifteenth section of the tenth article of the Constitution required of the State Treasurer other duties than those then prescribed by statute law. He is required to deposit the funds of the State in the bank selected by him, with the approval of the Governor and Attorney-General; and he is to require security satisfactory to the Governor and the Attorney-General for the safe-keeping and payment of such deposits. The attention of the last Legislature was called at an early period of the session to



the necessity of legislation to carry into effect the provisions of the Constitution. The subject-matter was referred in the Senate to a select committee, composed principally of lawyers. That committee, in the month of January, made its report and designated many sections of the Constitution which, in their opinion, required legislation to carry them into effect, and, amongst other sections, designated Section fifteen of Article ten. The Senate adopted that report, and thereby adopted the opinions of that committee, and that section of the Constitution, amongst others, was referred to the Committee of Ways and Means, with instructions to report suitable bills. The opinion of the Attorney-General was sought. He was required to inform the Senate whether, in his opinion, that section of the Constitution was "self-executing." After referring to the various statutes defining the duty of the Treasurer, and quoting from the speeches of the members of the Constitutional Convention, wherein they held that this section would require legislation to enforce it, he gives it as his opinion that the several statutes which he cited relating to the duties of the State Treasurer are inconsistent with the requirements of Section fifteen, Article ten, and that it is not self-enforcing, but legislation is necessary to carry it into effect.

The following is an extract from his reply to the resolution of the Senate requesting whether, in his opinion, this section of the Constitution was self-executing:

"Now, suppose that the Treasurer should select one or more utterly insolvent and worthless banks, or any one or more banks in a foreign State, and the Governor and Attorney-General should refuse to approve the selection, and the Treasurer should decline to make a further selection, what would be the result? There is no requirement of the Constitution, or of any statute, that the Treasurer continue to make such further selection of a bank or banks until the Governor and Attorney-General shall approve a selection; there is no statute imposing any penalty upon the Treasurer for his failure to perform his duty in this particular; there



would be no solution of the difficulty in the law, and the Treasurer would retain the funds as if said constitutional provision had never been adopted. Or, suppose that the Governor and Attorney-General should approve the selection made by the Treasurer, of a bank or banks, and such bank or banks were unable to give security, satisfactory to the Governor and Attorney-General, for the safe-keeping and payment of the State deposits, and the Treasurer should refuse to select any other bank or banks, how could the said section, in such case, be made effectual, unless the Legislature provides a statute that shall prescribe the details for the carrying into effect of this provision, with suitable penalties to compel the observance of said constitutional provision, and the statutes enacted in pursuance thereof? Again, what sort of security must the Governor and Attorney-General take for safe-keeping and payment of such deposits? Must it be a bond with personal security thereon, and if so, to whom shall the bond be given, and what are to be its conditions? Must it be given to the State, or to the Treasurer, or to the Governor and Attorney-General? Must the Governor and Attorney-General take real estate security, or bonds and choses in action, and if so, who is to have the custody and control of these securities? Ought there not to be some statute defining the duties, not only of the Treasurer, but of the Governor and Attorney-General, in this matter? Is the Treasurer at liberty to select his bank or banks of deposit for the State funds in any State or Territory that he may select? or is he restricted in such selection to the banks of this State? If the Governor and Attorney-General are authorized to take a bond, with personal security, for the safekeeping and payment of the State deposits, must the sureties on the bond reside in this State, or can they, in case of a selection of a foreign bank or banks, take non-resident sureties on the bond of such bank or banks, given for the safe-keeping and payment of the deposits?

“These matters ought to be regulated by statute, because if a foreign bank should fail in the safe-keeping and



payment of such State deposits, the State ought not to be required to go into the courts of a foreign State to recover said deposits.

"These suggestions, and others that might be named, demonstrate the proposition that the said section fifteen of Article ten can not be certainly enforced without the aid of statutory detail providing the manner and means for that purpose."

The House of Representatives, by resolution, requested the Treasurer to inform the House how much money there was in the Treasury, and where the same was deposited or kept. He replied the money of the State was deposited and kept as follows:

Bank of St. Joseph, Mo. ....	\$1,034,998 42
National Bank State of Missouri. ....	99,246 54
National Exchange Bank, Jefferson City. ....	2,180 51
In vault. ....	19,020 69
Total. ....	<hr/> \$1,155,446 16

The Treasurer named the several funds to which the money belonged. He also says:

"I further state that, inasmuch as there is no statutory law giving effect to Section 15, Article 10 of the Constitution, I have not observed the requirements of the same, but have the various funds in my custody so situated that I can subject the same to the requirements of any legislation that may be adopted for the government of the Treasury Department. I may further state that I have taken a bond from the Bank of St. Joseph, for my own protection, for one million dollars. Believing that the present General Assembly would, at an early day, enact laws enforcing the Constitution, the funds in my custody have been temporarily deposited in the foregoing banks for safe-keeping, and no interest has been paid for the same."

Bills to carry into effect the provisions of Section 15, Article 10, were introduced and were passed by each house of the General Assembly, but they differed in their provisions. The Legislature failed to enact any laws to carry



into effect the provisions of said Section 15, to regulate the deposits and safe custody of the public moneys. The State Treasurer was then left to be governed by the statute law in the discharge of his official duties.

The Treasurer gave his official bond as required by law in the sum of one million of dollars, with eleven sureties, a portion of whom justified to the amount of \$1,550,000, which bond was filed with the Secretary of State, with my approval of the same indorsed thereon. If the sureties of the Treasurer should become insolvent, or remove from the State, nowhere is the authority given to the Governor, or any other officer, to require a new bond or additional security to be given. It is true, such request might be made, but there is no power or authority to coerce a compliance, or penalty for non-compliance. Nor has the Governor the power to remove the Treasurer for a failure to perform the duties enjoined on him. Nor would it be right to vest in the Governor alone the power to remove him, or any other officer, at his pleasure. Nor is there any authority contained in the Constitution, nor in the law, by which the Governor can require the Treasurer to perform the duties named in section 15 of the 10th article of the Constitution, and whatever is to be done under that provision of the Constitution requires the Treasurer to take the initiative. The Treasurer never consulted me or advised with me about placing the public funds in the bank of St. Joseph, or in the Mastin Bank, nor in any other bank prior to the failure of the Mastin Bank. During my absence from the State in 1877, the Treasurer sought to carry out the provisions of the Constitution with respect to the deposits of the public money. One bank only submitted a proposal, and that was accepted in July, 1877. That bank was requested to furnish satisfactory security for the safe-keeping and payment of such deposits. The request was disregarded by the bank, and no security whatever was offered, and consequently no deposits by the State were made in it. This transaction occurred during the time of my absence, and



whilst Lieutenant-Governor Brockmeyer was discharging the duties of Governor.

In the month of August, 1878, the Mastin Bank failed, and its assets were placed in the hands of its assignee. At the date of its failure the State Treasurer claimed to have to his credit in that bank the sum of \$506,187.80, moneys of the State. To secure the payment of his deposits in that bank he had taken the bond of the bank in the sum of one million dollars, with sureties, and also some collaterals which he had received from some of the sureties on the bond. A portion of these collaterals have been surrendered to the parties who had pledged them, and he has received in cash the sum of \$220,000, which reduces his demand against that bank to the sum of \$286,187.80.

During the last fall proposals were again invited from banks for the payment of a bonus for the use of the money of the State. Several banks submitted propositions. The proposals of the Bank of Commerce, of the city of St. Louis, for all, and of the National Exchange Bank, of Jefferson City, for \$50,000, of the money of the State, being the best and most advantageous offers to the State, were accepted by the Treasurer, with the approval of myself and the Attorney-General, and both of these banks gave security to the satisfaction of the Treasurer, the Attorney-General and myself. Those banks have each deposited bonds of the United States or of this State, or both, with trustees in the city of New York, to secure the faithful performance of their part of the contract. Such is their agreement, and the Treasurer has been notified that stocks of such description have been deposited with the trustees, as was stipulated. But, it is respectfully submitted, if banks are to hypothecate stocks of any description, either of the United States or of this State, as security for the safe-keeping and payment of the deposits of the State, undoubtedly those banks would prefer the sale—if sale should take place of these securities—should be made in the city of New York, instead of St. Louis. If the sale is to be made by a trustee, it is desirable that trustee should be amenable



to and within the jurisdiction of the courts of this State, and that the State should not be compelled to resort to the courts of a foreign jurisdiction for redress. If default by the banks which now have the deposits should occur, and if the trustees of the banks and of the State should neglect or fail to discharge the trusts they assumed, I have no doubt the present Treasurer, Attorney-General and Executive would be censured for permitting trustees to be selected who resided beyond the jurisdiction of this State; and if the propositions of the deposit banks had not been accepted, the executive officers would have been censured for not accepting the propositions, notwithstanding the trustees were non-residents of this State.

Copies of the contracts with these banks and the Treasurer will be submitted to you by him with his report, and I also respectfully refer you to the report of the Treasurer for further information respecting the transactions of his department.

The Treasurer, as I am informed, did, shortly after the failure of the Mastin Bank, institute suit against the bank and its sureties on the bond held by him, for the recovery of the money deposited in that bank. No legal proceedings have been directed by me to be commenced against the Treasurer on his bond, because it is believed the right of the State to institute suit will not accrue, under existing laws, till the Treasurer shall be required to give a new official bond. In the transactions of the Treasurer with the Mastin Bank, it is charged he has violated the criminal law. Indictments were found against him at the last October term of the Criminal Court of Jackson county, charging him with receiving benefits and advantages from the deposits of money of the State made in the Mastin Bank by him. The indictments, I am informed, were framed upon the 44th section of the 3rd article of "Crimes and Punishments." As soon as I was informed such indictments were pending, I directed the Attorney-General to assist John L. Peak, Esq., the prosecuting attorney of Jackson county, in the management and trial



of these cases, as well as in the trial of some indictments which were preferred against the late Treasurer of this State for a violation of the same law. I regret the State was unable—by reason of the absence of witnesses—to proceed in the trial of these indictments against the Treasurer at the last term of this court. If the Treasurer is guilty as charged, or has violated any other law, let him be punished. The Executive will screen no one from punishment. The laws of the State shall be enforced against all alike, whether in public or in private life. But, as an act of justice to the Treasurer, it is proper that I should state the Treasurer demanded a speedy trial.

#### RENEWAL FUNDING BONDS.

Bonds of this State to the amount of \$838,000 fell due at different periods in the year 1877, and bonds to the amount of \$490,000 fell due in 1878. The act of March 29th, 1875, provided for the issue of new bonds, and the proceeds of those bonds were directed to be applied to the payment of bonds of this State issued in the years 1855, 1856 and 1857. Those bonds were redeemable at the pleasure of the Legislature at any time after the expiration of twenty years from their date. But, by the act referred to, it was declared those bonds should be redeemed at the expiration of twenty years from their respective dates. The bonds which fell due in 1878, fell due in the months of March, April, May, August, October and December. By the terms of this act no bonds could be issued at a later date than the year 1877. The Constitution provides there shall be an annual tax levied and collected, sufficient to pay the accruing interest upon the bonded debt of the State, and to reduce the principal thereof each year not less than \$250,000. The attention of the legislature was called to the fact that whilst at least \$250,000 was required to be annually set apart for the extinguishment of the bonded debt of the State, there would fall due in 1878, \$490,000 of bonds. This would be in excess of the amount required to be placed in the Sinking Fund, and without a considerable increase



in the revenue, this sum could not be paid without additional legislation. No additional legislation on that subject was had. The amount of \$1,328,000 of bonds fell due in 1877 and 1878, and there was no probability the State would be able to pay more than the sum of \$250,000 annually, as required by the Constitution. It was then apparent that as, under the act of March 29th, 1875, the only bonds which could be funded were those which fell due in 1877, there would be a necessity to convene the Legislature to provide for the exigency, or to fund the bonds which fell due in that year. The latter course was adopted. My predecessor stated to the General Assembly, in his message, "that in 1877 there will be to fund \$588,000, in 1878, \$240,000, and none during the following four years. As, under the act of March 29th, 1875, only the bonds falling due this year can be funded, you will have to provide by a new act for funding the excess, \$240,000, for 1878." It was apparent to him that the State would be compelled to fund in the years 1877 and 1878 the sum of \$828,000 of its bonded debt, of the \$1,328,000 of bonds which fell due in those years. The bonds were issued to aid in the construction of the roads hereinafter mentioned, and fell due at the time stated:

## STATE BONDS MATURED IN 1877.

March 17, St. Louis and Iron Mountain.....	\$99,000
April 13, St. Louis and Iron Mountain.....	68,000
May 18, North Missouri Railroad.....	106,000
August 1, North Missouri Railroad.....	146,000
August 12, Cairo and Fulton Railroad.....	45,000
October 17, Cairo and Fulton Railroad.....	43,000
December 7, Pacific Railroad, (S. W. B.).....	331,000
Total in 1877.....	\$838,000

## STATE BONDS MATURED IN 1878.

March 4, Pacific Railroad, (S. W. B.).....	\$146,000
June 2, Pacific Railroad, (S. W. B.).....	54,000
June 21, Pacific Railroad, (S. W. B.).....	66,000
October 16, Pacific Railroad, (S. W. B.).....	64,000
October 26, Pacific Railroad, (S. W. B.).....	71,000
Nov. 29, Pacific Railroad, (S. W. B.).....	52,000
Dec. 1, Cairo and Fulton Railroad.....	37,000
Total in 1878.....	\$490,000



In the month of April, 1877, the Fund Commissioners, in accordance with the provisions of the funding act of March 29, 1875, by public advertisement, in the manner prescribed by that act, invited proposals for the purchase of an amount of the bonds of this State not exceeding \$838,000. The advertisement was so framed that if the Legislature should make other provisions for paying the State debt which fell due in 1877 and 1878, they would not be required to sell more bonds than they might deem advisable. At the time named in the advertisement—in the month of May—the bids for those bonds were publicly opened by me, in the presence of the Fund Commissioners, such bidders as chose to be present, and other persons. The Legislature having adjourned without making provision for the redemption of the bonds which fell due in 1878, which were in excess of the amount required by the Constitution to be redeemed, the Fund Commissioners did, by my advice and consent, direct that \$838,000 of bonds should be issued, that number having been found necessary to pay maturing bonds of the State. It was found that one party proposed to pay \$4.066 premium per hundred for \$100,000 of bonds, and his bid was accepted. The bids for the other bonds, being at the rate of about  $2\frac{1}{2}$  per cent. premium only, were, by the Commissioners, on my advise, rejected. It was deemed not advisable at that time to re-advertise, but to await proposals for private sale. Such proposals were made shortly thereafter, and accepted by the Commissioners, with my full approval. \$738,000 of bonds were sold at a premium of \$3.235 per \$100, that being the highest and best offer. The total premiums received upon the sale of all those bonds was \$28,051, which was carried to the Sinking Fund, and was at the rate of more than  $3\frac{1}{4}$  per cent. premium. I was convinced it was the best price which could then be obtained.



## ADDITIONAL REVENUE NEEDED.

At the last session of the Legislature, when the temporary loan of \$250,000 was recommended, by me, I advised steps should then be taken to increase the revenues so that the loan should be paid at its maturity from such increase. For this purpose I recommended a poll-tax of one dollar be imposed on every male person over the age of twenty-one, and if this had been done, the loan then authorized would have been paid, principal and interest, by the revenue from that source. If a poll-tax of one dollar shall be imposed, and the same authority to collect it which the collector now has for the collection of the tax on personal property, I estimate \$300,000 would be collected, and the poll-tax, if authorized, can be added to the assessment list, and placed on the tax-book for this year. More revenue must be raised and expenses must be reduced. But little revenue is derived from dram-shop licenses, and I am satisfied the quantity of spirits used as a beverage has not been diminished much, if any, within the last few years. I recommend the minimum tax to be levied on each dram-shop, for State purposes, be not less than \$50 for every period of six months, (minimum tax is now \$25,) and that no county, city or town shall impose a greater tax than the State imposes for a dram shop license. There are dram-shop keepers who pay only from \$50 to \$100 per year for State purposes, and who pay several hundred dollars to the city or town treasuries for a dram-shop license. You are as well able to estimate as I am, whether the property of the State will be valued as high for the collection of taxes this year as for the preceding years. The State is slowly increasing in population, but the value of property has been greatly depressed for the past few years. There are good reasons to believe this period of depression of values has ceased, and that we shall now have prosperous times. Within this State, in the last year, nearly 200 miles of railroad have been put in operation, and means are now being raised to speedily build other railroads in our State. Such improvements increase the value of property, add wealth to the



country, and invite and induce immigration. It is not a pleasant task to invite you to increase the taxes to be borne by the people of the State. But when we consider that the amount of taxes paid to the State is only 40 cents on the \$100, it shows the taxation for State purposes is light. The onerous taxes which the people of this State pay are the county taxes, and taxes for the erection of splendid edifices for schoolhouses, and interest on county or school indebtedness, recklessly created several years ago, before the great shrinkage of values. The old maxim for all governments, national, State or municipal, is "to pay as you go," and this has been signally disregarded.

The expenditures for the first six months of this year will be very large, and some of them will not occur next year. The pay of the General Assembly is estimated at \$115,000; its contingent expenses, \$50,000; paper for printing, printing reports and documents ordered by the General Assembly, printing journals, and printing and binding the revised code and session acts, \$50,000, (a total of \$215,000;) the temporary loan, \$250,000; and the 25 per cent. of the revenue fund to be paid to the "public school fund," or State School Moneys, in the month of March, and the interest on the State bonds and certificate of indebtedness held by the State as trustee for this fund, will all amount to about \$537,000, which will be drawn from the Treasury, principally in the month of April. The amount paid out of the "public school fund," or State School Moneys, for the corresponding period of time last year, was \$537,306.47. These sums will aggregate one million, one thousand three hundred and six dollars, which the State may be called on to pay on or before the first of July next. The receipts of the revenue during the first six months of this year, together with the balance of the revenue fund, if all of it shall be available, will be insufficient to meet these demands. The temporary loan of \$250,000 must be renewed or extended for a longer period of time. The important duty devolves on you to diminish the expenses of the State, to increase its revenues, and to provide for the renewal of the temporary



loan. In such measures as you may devise to accomplish these objects, or any other measures for the welfare of the people of the State, you will have my concurrence and cordial co-operation.

#### PUBLIC SCHOOL FUND.

The Public School Fund is invested in the bonds and certificate of indebtedness of this State, all bearing six per cent. interest, the income of which, with 25 per cent. of the general revenue of the State, is applied to the support of public schools. This fund is invested as follows:

Bonds of this State.....	\$2,009,000.00
Certificate of indebtedness.....	900,000.00
Cash in Treasury.....	457.11
<hr/>	
Total.....	\$2,909,457.11

The bonds of the State belonging to this fund are in the custody of the Treasurer. There is nothing to show upon their face that the bonds belong to the State. All of them are coupon bonds, the title to which passes by delivery. If these bonds should be improperly put in circulation, and come into the hands of an innocent holder, I suggest for your consideration whether the State would not be morally bound for their payment. Let us obviate all such questions when it can be so easily done. Direct that all of the coupons shall be destroyed, the bonds canceled by defacing them, and that fact be made of record in the offices of State Auditor and State Treasurer by a description of the bonds and the date they shall become due. Issue certificates of indebtedness to the Public School Fund, bearing interest at the rate of 6 per cent. per annum, and in such amounts as will cause the certificate to become payable at the time the bonds would have become due, and in such manner that the public debt shall not be increased, in violation of the Constitution. Let provision be made that when the certificate shall be redeemable, bonds of the State shall be purchased for this fund, and when delivered to the Treasurer they shall, in like manner, be canceled and certificates of indebtedness issued.



## SEMINARY FUND.

There are \$122,000 of the bonds of this State, bearing six per cent interest, in the custody of the State Treasurer. They are coupon bonds, with nothing upon them to denote they are the property of the State. I recommend these bonds be canceled and certificates in lieu thereof be issued, in the same manner and subject to like conditions with the certificates by me recommended to be issued for State bonds held by the Public School fund.

## STATE INTEREST AND SINKING FUNDS.

The State Interest fund consists of a tax of one-fifth of one per centum per annum levied and collected on all property subject to taxation. By the provisions of the Constitution, the proceeds of the tax shall be applied to the interest on bonded debt of the State as it shall mature, and the surplus, if any, shall be paid into the Sinking fund, and thereafter be applied to the redemption of the bonded indebtedness of the State. It is also provided the amount paid into the Sinking fund shall be at least \$250,000 annually. The Fund Commissioners have paid the interest on the public debt to the 1st of July last, and have forwarded to the National Bank of Commerce, of New York, an amount sufficient to pay the interest on the bonded debt, payable in that city on the 1st of this month. And there has been paid out of the Sinking fund, in the last two years, \$535,000, for the redemption of the public debt. Part of this money was applied in payment of twenty bonds, with interest, which have not heretofore been reckoned as a part of the debt of the State. The indebtedness of this State on the 1st of January, 1877, was \$17,268,000, instead of \$17,248,000. The indebtedness of the State on the 1st of January, 1879, was \$16,758,000, not including the contingent liability of the State on account of \$3,000,000 of bonds loaned to the Hannibal & St. Joe Railroad Company. This amount does not include the temporary loan of \$250,000 which falls due this year. From the present date to the year 1886, only \$442,000 of the bonds of the State will



become due, and the larger part of the amount to be placed in the Sinking fund will be applied to the purchase of bonds before they shall have matured.

#### RATE OF INTEREST.

In such times of pecuniary embarrassment as we have experienced the last four or five years, and as we are now experiencing, distrust of the solvency of our business men is engendered. Money is, for that reason, difficult to be obtained, and is often loaned at rates exceeding those authorized by law. At this time, in portions of our country, money is plenty, and when loaned, is seldom loaned at rates above seven per cent., and oftentimes for a much less rate. The bonds of the United States, which bear but four per cent. interest, are sought for eagerly. Under existing laws, these bonds have another value besides the long time before they mature, and the punctuality and certainty of payment. It is that they are exempt from State and municipal taxation, which is estimated in the principal cities of the Union where capital is concentrated, as equal to two per cent. per annum. I advise the rate of interest be reduced to six or seven per cent. per annum, and that our laws of usury shall be so changed that the defense of usury shall be of some avail and benefit to the unfortunate debtor. The penalties for usury in this State are made to encourage the loaning of money beyond the lawful rate of interest. In short, our interest law has been enacted in the interest alone of the lender, and not with a due regard to that which is right to both borrower and lender. It is often said that men should be permitted to contract for the use of money at such rate as they may please to give, and that no tribunal should annul or invalidate contracts. This proposition goes too far, and if carried to its full extent, then all gaming contracts should be enforced and not be declared void.

But the Legislature fixes the rate of interest which it is lawful to receive for the loan of money, and has the right to declare contracts void made for a greater rate of interest than that authorized by law. In this connection I must



say the lenders of money in some manner evade the payment of taxes on the money they have loaned. Violating the law relating to interest by exacting more than the law permits them to take, their next evasion or disregard of law is to screen their notes from taxation. There are counties in this State where the recorder's office will show thousands of dollars loaned, and the payment secured by deeds of trust or mortgage deeds unsatisfied, whilst the assessment list will show only a small amount of money loaned. Thus are the revenue laws of the State avoided, and men do not pay taxes in proportion to the value of the property they own.

I trust the Legislature will so provide that all the money which is loaned by citizens of the State in the State, shall be taxed. Perhaps it may be advisable to declare that no judgment shall be rendered on a note or bond for the payment of money or property when by its date or the instrument itself, it is evident it has been liable to taxation, unless the plaintiff shall show it has been assessed for taxation, and if the note has escaped taxation, then the court shall render a judgment in favor of the State for the taxes and penalties which should have been paid by the owner of the note, and which said judgment shall have priority of payment, and be credited on said note.

#### REVISION.

The statute laws of this State of a general nature must be revised by the Legislature, or a plain and important injunction of the Constitution will be disregarded. The 41st Section of Article 4, of the Constitution provides that within five years after the adoption of the Constitution "all the statute laws of a general nature, both civil and criminal, shall be revised, digested and promulgated in such manner as the General Assembly shall direct." The Constitution was adopted in October, 1875, and became the supreme law of the State on the 30th day of November of that year. It is to be regretted the last Legislature did not provide for a commission of experienced men, learned in the



law, who should collate the laws of the State, showing what the general statutes now are, and making suggestions of the alterations and amendments proper and suitable to be made, in order to make our code of laws as perfect as human wisdom can devise. The attention of the Legislature was called to this subject by myself and by my immediate predecessor. The five years within which this important labor is to be performed will expire this year. The laws of the State have not been revised since 1865, and many important amendments and great changes have been made to the general laws, which are scattered through a dozen volumes of Session Acts. To collate all these and put them in symmetrical shape, in proper and appropriate language where needed, to suggest such amendments as will make the text harmonize and be congruous with the tenor of the law and the intent of the law-makers, will require both skill and time to accomplish. And why should not time be given for this purpose? Wisdom does not consist in the enactment of many laws, nor in frequent changes of them. Where frequent changes of important laws take place, the people do not keep themselves informed of those changes, and we sometimes meet with those who have suffered from the sudden and important changes of law. But few laws are needed. Let them be distinguished for their perspicuity and wisdom. But if bad laws have been placed on the statute book, they ought forthwith to be repealed.

You can not provide for an adjourned session of the Legislature, to which a report could be made by a revising commission, because an adjournment of the Legislature for more than three days is, by the terms of the Constitution, an adjournment *sine die*; but you might pass the general appropriation bill, and a bill for the better regulation of the Treasury Department, and for the security of public moneys, and other bills of like important character, and also provide for the appointment of a revising commission, who should prepare a report by a time to be named or to be designated by the Governor, and when such commission should report to the Governor, the report should be printed, and he should



convene the Legislature to revise the general laws of the State—in short, to perform the duty required to be performed by the 41st Section of the 4th article of the Constitution. I do not distrust the capacity of the Legislature to perform the work, but I do believe that in the multifarious duties of its members they will not make as good a revision of the laws as three able jurists of our State can prepare. Therefore, if the Legislature will adjourn *sine die*, after such laws shall have been passed as will meet the present exigencies, it could be convened by proclamation of the Governor to make the revision, and if it should be necessary to pass any laws of an important character during the called session, the attention of the Legislature could be called to the subject by a special message from the Governor, so that legislation could be had. In this manner an excellent revision can be obtained, and, I believe, with no more expense than if the revision shall be undertaken without the aid of a revising commission. Both sessions of the Legislature would not exceed in their length the period of time designated for a revising session. Or, if this plan shall not meet with approval, a commission to aid in the revision might be in session simultaneously with the Legislature. I deem the method first named the best. The object is to have our laws properly revised, and such labor can not be performed in haste, nor without great care and deliberate consideration. It must be borne in mind the enactment of laws by the General Assembly of this State is a slow process. After a bill shall have been engrossed, it is to be printed before it shall be put upon its passage, and if amendments shall be adopted in the House, these amendments are also to be printed before final action shall be had, and then every bill, after it shall have been passed by both Houses, shall be read *in extenso* in each House before the respective presiding officers shall attest the passage of the bill by affixing to it their signatures.



## SUPREME COURT.

The Supreme Court is now overburdened with business. The judges have arduous and important duties to perform, which require close examination and patient investigation. The business of the court has greatly increased in the last few years, and some relief should be furnished to suitors and to the court. Several plans have been suggested. One is to establish two appellate courts, one on the north side, the other on the south side of the Missouri river, and vest these with power similar to those conferred on the St. Louis Court of Appeals. Another plan is to appoint a commission of able jurists, to which commission cases pending in the Supreme Court shall be referred by that court, and those commissioners shall submit their statement of the cases, with their opinion on the same, to the Supreme Court for confirmation, and judgment to be entered accordingly. And still another plan is to add two more judges to the Supreme Court; then organize the court into two tribunals from time to time, to consist of at least three judges, and each tribunal may be in session at the same time and place, and the judgment of each tribunal to be the judgment of the Supreme Court. But all the judges shall constitute the court when the constitutionality of an act of the Legislature shall be drawn in question, and in criminal cases where the punishment may be death or imprisonment in the penitentiary for life, and in cases where the amount in controversy shall exceed \$20,000. There will then be one judge who may be detailed to serve on either tribunal in the event of sickness or other inability to serve of one of the judges. The proposition last stated, I think, is preferable. These plans will require the constitution to be amended. The delay attendant on litigation in the Supreme Court amounts almost to a denial of justice. Many cases are taken to the Supreme Court by reason of the delay the judgment debtor will obtain; whereas, if the cases should be speedily determined, fewer cases would be taken to this court. There were 974 cases on the docket of the Supreme Court at the commencement of its October term, 1877,



and 430 cases were added to that docket on or before the first day of its October term, 1878. But during that year 427 cases had been disposed of, including a few cases which had been submitted and taken under advisement. And on the first day of its October term, 1878, there were 980 cases, showing the court had been unable to keep up with its business.

#### COSTS IN CRIMINAL CASES.

There was appropriated for the payment of costs in criminal cases the sum of \$400,000 for the service of the years 1877 and 1878. A portion of this appropriation was expended in the payment of costs in criminal cases, where the fee-bills had been filed with the Auditor a short time before the close of the year 1876. The amount of these fee-bills is estimated at \$13,000, and ought to have been included in the deficiency appropriation. This appropriation of \$400,000 was exhausted in the month of October last, and since that time certificates of indebtedness have been issued on all fee-bills for costs in criminal cases presented for audit to the first day of this month, and which amount to \$41,019.57. Deducting the \$13,000 above named from the \$400,000 appropriated, and adding to that the sum of \$41,019.57, the amount of certificates of indebtedness issued since last October, it makes the amount \$428,019.57, as the amount justly chargeable to the expenditures under that head for the years 1877 and 1878. I had occasion to call the attention of the Legislature to the large expenditure of money for the suppression of crime and the punishment of criminals. At that time it was urged a reduction of these expenses ought to be made. In former years, when costs in criminal cases had become a large expenditure, it was enacted that when the costs could be and were made from the defendant's property, full costs should be paid; that is, the full fees as prescribed by law; but when the costs were to be paid by the State or by the county, it was provided only one-half of the fees should be paid; and this provision extended to all fees and costs prior to the rendition of the judgment. There was



formerly a statute which provided that in all criminal cases there should be a lien on all the property of the defendant for the payment of costs and fine which might be adjudged against him, and which lien should date from the day of the arrest of defendant, or from the date of the indictment found, whichever might first happen. I advise a similar provision be adopted. Criminals sentenced to the penitentiary are sometimes kept in the jails many days after the judgment and sentence has been rendered, and when no appeal or writ of error is pending. This entails additional expense to the State, for the cost of feeding a convict in the penitentiary is about ten cents per day, whilst in the jails it is fifty cents per day. This unnecessary delay in sending convicts to the penitentiary should be remedied. Besides the appropriation of \$400,000, there was appropriated by the Legislature the sum of \$111,547.99 to pay certificates of indebtedness which were issued in the year 1876, because the appropriation for the payment of costs in criminal cases for the years 1875 and 1876 had been exhausted. The expenses under the head of costs in criminal cases, chargeable in each period of two years for the four years ending on the first of this month, are as follows:  
 1875—January 1—Balance to credit of appropriation for costs

In criminal cases.....	\$10,606.69
Appropriation for 1875 and 1876.....	350,000.00
Deficiency appropriation.....	111,547.99
Bills of costs filed with the Auditor prior to January 1, 1877.....	13,000.00
	<hr/>
	\$474,548.68

The two items last mentioned, amounting to \$124,547.99, were disbursed from the Treasury during the year 1877, and were included in the estimates with other liabilities of the State, which compelled the Legislature to authorize the temporary loan. For the service of the last two fiscal years, of the appropriation of \$400,000:



This sum has been disbursed.....	\$387,000 00
Certificates of indebtedness issued to first of this month, under head of costs in criminal cases.....	41,019.57
	<hr/>
	\$428,019.57

Making the sum of but \$428,019.57, the amount of costs paid and certificates issued on bills of costs in criminal cases first presented to the Auditor for audit during the years 1877 and 1878, whilst during the years 1875 and 1876, the sum of \$474,548.68, bills of costs in criminal cases, had been presented to the Auditor, making in four years the following:

1875 and 1876.....	\$474,548.68
1877 and 1878.....	428,019.57
	<hr/>
The sum of.....	\$902,568.25

presented for allowance and audited during that time as the expense paid by the State for the prosecution of criminals.

The money paid from the treasury for the support of the penitentiary during the same years, is as follows:

1875.....	\$104,625.90
1876.....	126,199.92
	<hr/>
	\$230,825.82
1877.....	\$96,010.01
1878.....	51,961.52
	<hr/>
	\$147,971.53

In the cost of maintaining the penitentiary, as here stated, I have not counted the earnings of the prisoners, which have been applied to the support of the prison, but have stated the cash actually paid from the treasury for that object. There was cash paid out of the treasury:

For support of penitentiary four years.....	\$388,787.35
Costs in criminal cases paid by State.....	902,568.25
	<hr/>
	\$1,291,355.60



An annual cost of more than \$322,000 paid by the State or the prosecution and punishment of malefactors. Does any one now wonder that the officers charged with the management of the penitentiary seek to make the convicts work? and if they can not be worked within the walls of the prison, to work outside? Would not those officers be culpable if they should keep 300 or 400 men locked up in their cells because they could not be worked within the walls of the prison, when there were persons ready to employ them to work outside of the walls and pay the State fair wages for their services? And is it any wonder that the officers of the State government, when the treasury pays so great sums for the prosecution and punishment of criminals, should ask the General Assembly to lessen the costs the State pays? or seek to make criminals help pay the costs of their conviction and punishment? The government of the United States does not pay the costs of the defendant, even though the defendant should be acquitted; and such is the law of several States in the Union. But I do not advise so harsh a remedy. But would it not be a good law, since the defendant is permitted to testify in criminal cases, that the costs of witnesses who only testify as to the character of the defendant, or who may have been summoned for that purpose, shall not be taxed against the State, nor against the county, in any event whatever? The people demand a reduction of the expenses of our government, municipal, State and National.

#### CRIMINAL LAW.

I take pleasure in stating to you that the criminal law, at this time, well executed and enforced in all parts of the State. In a few cases, besides in the "strike" in the summer of 1877, a spirit of turbulence has been manifested.

I have, in a few instances, sent Gen. Mitchell, the Adjutant-General, not in his military capacity, but as an attorney, to aid the prosecuting attorney of the county where sent, in the management of such criminal cases as were pending or might arise, with directions to make known to those who



were lawlessly inclined that the laws should be enforced and criminals punished; that the whole power of the State was at my command, and if the execution of process and of the law should be resisted, and there was not a sufficient number of good people in the county to enforce the laws, I would find an adequate force elsewhere that would promptly enforce the law and preserve order. The duties of the Attorney-General in the Supreme Court, or in the preparation of his cases, were so urgent that he could not be spared to perform the services I wished to have then rendered. The services of General Mitchell were valuable and efficient, and were rendered without other charge than the payment of expenses. In those counties to which I allude, the law-abiding citizens of the county manifested a readiness to aid the civil officers in the execution of the law and the preservation of public quiet, and I am glad I can announce to you that obedience to the law prevails throughout the State.

#### THE STRIKE.

In the summer of 1877 there was manifested in many towns and cities in our country, which were railroad centers, a disposition by lawless acts to coerce the railroad companies to increase, or to prevent a reduction of the wages of their employes. Upon many roads all of the employes struck; upon other roads a portion struck and compelled those who were willing to remain to quit their employment. There was but little interference with the trains which carried the mails, but on many roads the running of freight trains was entirely suspended. In some cities these disturbances culminated in the destruction of a large amount of merchandise in transitu—of cars and locomotives. In some places the civil authorities invoked the aid of the militia, and a collision between the rioters and the authorities took place, resulting in the loss of life; and in some quarters the authority of the United States was invoked, and soldiers were sent to suppress the riots. Whilst turbulence was manifested, and lawless acts were done in St. Louis and other cities of this State, the civil authorities



improvised some military companies, to be ready for the threatened and impending lawlessness. More than three thousand men under arms at one time in St. Louis, ready to obey the orders of the civil authorities. Arms and prepared ammunition were publicly issued to the men. Companies, battalions and regiments were formed and organized for the fearful exigency. The promptness and willingness which the good citizens exhibited for the preservation of order, the enforcement of law, and finally to execute such orders as the emergency required should be given, caused the intended insurgents to disperse and to abandon their wicked designs. Quiet was restored in that great city, with no collision between the armed men and the rioters, with no destruction of property, and without the shedding of a single drop of human blood. It was the triumph of law and order over those who strove to inaugurate disorder, violence and bloodshed. But one or two military companies in St. Louis had maintained their organization. During these troubles I repaired to St. Louis. Gen. Mitchell, the Adjutant-General, remained here, in order to supply the authorities in other parts of the State with arms and ammunition when needed. The supply of ammunition belonging to the State was scant. When I found I could obtain from the authorities of the United States such ammunition as I required, I ordered 2,000 stands of muskets and accoutrements to St. Louis. Those guns, accoutrements and ammunition were by my orders issued to citizens who enrolled themselves in military companies at that time for the preservation of the peace of the city. The authorities of the city (after the strike was suppressed) requested me to let some guns remain, as they might be needed. I complied with the request. These guns, accoutrements and ammunition were issued by my orders—by my orders they were permitted to remain in St. Louis, and such as have not yet been issued to the militia are now in the hands of the police reserves. It is probable some of these guns have been lost. The Adjutant-General is responsible for them. All of the articles were issued at a time when forms could not be ob-



served, and they were issued for the public good. If any of the arms and accoutrements can not be produced, I recommend a law be passed to relieve the Adjutant-General from his responsibility, or that his account shall be credited with such arms, etc., as can not be obtained.

#### THE MILITIA.

The experience of the year 1877 shows the necessity for the organization of the militia. Two battalions and three or four independent companies of the militia are organized in St. Louis; all but two companies have been organized since the strike. A few companies have been organized in other portions of the State. Of the police reserves I have only to say that as long as those who act as military officers shall be recognized as such, there will be no difficulty. No one is commissioned as such officer. Citizens of St. Louis encouraged opposition to the militia law, and therefore urged the organization of the police reserves, without the sanction of law. But I hope they will organize under the militia law. There are defects in the law, but I trust a patient hearing will be given those who seek to amend the law, and relieve it of some of the obstacles, real or imaginary, which deter patriotic citizens from organizing under it. A bill has been prepared by those who are earnestly engaged in the effort to make the militia law such as it should be. A well regulated militia is the bulwark of defense of our country. Listen, then, I beseech you, to the complaints of the militia men. Modify and change the law, if there shall be no valid objection to the proposition, so as to suit the wishes of those who propose to make it efficient, and who will subject themselves to its government. They deserve all the encouragement you can give them, and I wish it was in the power of the State to do more for them than can now be done.

#### LOST INSURANCE BILL.

Just at the close of the session of the last Legislature a bill, which originated in the House and which had passed both Houses, and was duly signed by the presiding officer



of the Senate and the House, failed to reach the Executive. It was entitled "An act to regulate the forfeiture of policies of life insurance." This bill provided that no policy of insurance on life, after the payment upon it of two full annual premiums, shall be forfeited or become void by reason of the non-payment of premium thereon, but the net value of the policy shall be ascertained, and that sum shall be applied as a premium of temporary insurance. That bill never came into my hands—was never presented to me for approval. I should have approved it. I have endeavored to ascertain who purloined that bill, or prevented it from being presented to me, and have been unsuccessful. I did not know, till inquiry was made, that such a bill had passed. It was never delivered to me by the Clerk of the House of Representatives. I recommend a law enacted containing provisions similar to those contained in that lost bill, and in addition thereto I advise the criminal law concerning records, etc., belonging to either House of the Legislature, or which may belong to any executive department, be amended so that a more efficient inquiry may be made for the offender than existing laws authorize. And perhaps it may be well to empower the Executive, whenever any paper which belonged to either House of the Legislature, or which shall have been presented to the Governor, has been lost, destroyed or purloined, that he appoint a commission who may hold sessions anywhere in the State, vested with full power to bring persons before him, and them to examine touching the loss or destruction of the records; and if, upon inquiry, the guilty party or parties shall be discovered, that the commissioner shall have power to cause him or them to be arrested, and, upon a hearing of the case, if there shall be probable evidence of the guilt of the accused, to recognize the guilty parties to appear before the proper court of the county where the offense was committed, and in default of bail, to commit them to jail to answer to an indictment to be preferred against them.



## FISH CULTURE.

By virtue of an act passed by the last Legislature, provision was made for stocking the rivers of this State with fish. Young fish, principally salmon, have been sent to the Commissioner of this State by the Commissioner of the United States, and have been placed in our rivers. A further supply will be sent to this State during this year, and will probably be distributed in other streams. But a small sum of money was appropriated to defray the expenses which might be incurred, and therefore, unless the Legislature shall make a further appropriation for this object, a portion of the expense attendant on the transportation of the small fry must be defrayed by the citizens residing on the streams to be stocked with fish. The object is to stock our rivers with fish which will afford cheap and nutritious food. Fish culture is no longer an experiment. With very little expense and care the supply of fish of a better quality than those which swim in our streams will be largely increased. Before the close of the session, I expect to submit to you a report on this subject from the Commissioner.

## THE OSAGE.

The Legislature at its last session appropriated \$2,000 to be expended in removing obstructions to the navigation of the Osage river at Bolton shoals. I was authorized and required to appoint some practical business man, familiar with the character of that river, and having a knowledge of what was necessary to be done to remove the obstruction, to superintend the removal of the bar. By many it was believed that that sum of money was not sufficient to accomplish the work. I appointed Hon. Jos. W. McClurg, who possessed all the qualifications named in the act, to superintend the work. The obstruction to the navigation of the river is removed, and there is at that bar as great a depth of water as there is on the Shipley shoal, below the Bolton bar. The superintendent made no charge for his personal services in superintending that work, and there is a small balance of the appropriation unexpended. I trust there will be no



farther requirement for the State to appropriate its moneys for the improvement of that river, as the United States has made an additional appropriation for that purpose, and will undoubtedly appropriate still further sums, to be disbursed in that direction. The improvement of the navigation of the Osage is a matter of vast importance to the people residing on the banks and in the vicinity of that river.

#### PROPOSED AMENDMENT TO CONSTITUTION.

The amendment proposed to the Constitution and submitted to the people at the late election was defeated by a large majority. In so far as it sought to add another qualification of suffrage, it very properly met with a strong and decided opposition. No property qualification, nor the payment of a tax, should be required as a prerequisite to exercising the right of suffrage. It is a duty to vote; it is a duty incumbent on all who are entitled to exercise the elective franchise to vote. Better would it be to impose a fine on those who are entitled to vote, and who without reasonable excuse fail to discharge that duty, than to disfranchise those who do not pay taxes. There is no prohibition in the Constitution against the levy of a poll-tax. Therefore, whenever the Legislature shall think proper to impose a poll-tax, to be applied to the support of the schools and institutions of learning, to the support of the State government, or to any other purpose or object not prohibited by the Constitution, it has the right so to do. During the last session of the Legislature I did recommend a poll-tax be levied, to be paid into the Revenue Fund. This recommendation was contained in the message in which I advised a loan be made in order to supply the deficiencies in the revenue. The loan was granted, but no provision was made for additional revenue. A bill for that purpose passed the Senate, but failed to receive the approval of the House.



## THE PENITENTIARY.

The maintenance of the penitentiary has been a very heavy drain upon the treasury. It would seem reasonable to expect the prisoners would not only be able, by their labor, to earn an amount sufficient to support themselves, but also to pay the salaries and wages of the officers and guards of the penitentiary. But this has not been the case. The leasing system has been tried at different times, and has not proved a success. During the period the prison was first leased, the lessees made great improvements by erecting buildings and furnishing implements and machinery which were paid for by the State. In this manner the lessees paid the amount stipulated to be paid the State, but had large demands against the State for improvements made by them. The second period of leasing was so recent that it need only be referred to, as all know it was not a success, either to the State or to the lessees. The State has, by its officers in former times, conducted the penitentiary as a large manufacturing establishment, and in so doing has always lost money. It is not advisable for the State to again embark in manufacturing, but it is desirable, if possible, to make the penitentiary a self-sustaining institution. Legislation was proposed in each branch of the General Assembly, at its last session, respecting the management of the penitentiary, but beyond the appropriation of money, and its earnings for its support, nothing was done.

On the 31st of December, 1876, there were in the penitentiary, 1,332 prisoners, convicted for violation of the criminal laws of this State, and 14 convicts sent to the prison by the Federal courts. On the 31st day of last December, there were in the prison, 1,244 convicts of the State, and 50 convicts of the United States. The United States pays for the board and care of its convicts, and the State has the benefit of their labor. During the two years ending on the 31st of December, 1876, thirteen hundred and seventy (1370) prisoners were received, and for the two years ending on the 31st of December, 1878, eleven hundred and sixty-five (1165) prisoners were received, all



of whom had been sentenced to the penitentiary by the courts of this State. This shows that, in the two years first named, 205 more persons were convicted and sent to the penitentiary than in the last two years. A rigid enforcement of our criminal laws has diminished the commission of crimes.

When the present Warden took charge of the penitentiary, there were many prisoners who were not employed by contractors, nor were they performing labor for the State. They were in idleness, because no one would employ them, and at that time the State had no work which they could perform. Many convicts were then worked outside the prison walls. Some were employed as servants, in this city; some were employed in grading and macadamizing streets; others at quarries, at lime kilns and brick kilns, at farms, and some on a steamer which navigated the Osage and Missouri rivers. The cost of maintaining the penitentiary had become very great. It was proper and right to put the convicts at hard labor; and if labor could not be provided for them within the walls, it was right to put them at labor without the walls. There was no doubt the law permitted this to be done. The object was to make the prisoners support themselves—to shift the burden of the maintenance from the tax-payers to themselves; and was not this right? A contract was made for the labor of convicts in some coal mines. This contract was made by the Inspectors with J. B. Price, and I approved of the same. In the communication of the Inspectors to the House of Representatives, they described the condition of affairs at the penitentiary as follows:

“They beg leave to suggest that there are over six hundred convicts locked up in their cells, whose labor can not be utilized within the penitentiary for want of contractors to employ them. If there were contractors to work them inside of the prison walls, there is not shop room nor facilities for so doing. This large number of idle and non-producing convicts is a very great expense to the State, independent of the immense costs of their trials, convictions



and transportations to the prison. They can, they think, make the number let under the contract more than self-supporting, and their desire is to make the penitentiary self-sustaining. Their estimate is that the State will receive over the sum of \$50,000 per annum for the hire of the said convict labor, under said contract, which otherwise would be non-productive."

But it is said that when the convicts are worked outside of the prison walls their labor comes in competition with the labor of the honest man. Is not this so when the prisoner labors within the prison walls? When the prisoner is worked within the walls he must be employed in some mechanical pursuit; and is not the labor within the walls of the prison, by the convict, then brought in competition with the labor of the mechanics and the skilled workmen of the country? And if we are to prevent convict labor from coming in competition with honest labor, then no labor whatever can be performed by the convict, and he is to be kept in idleness, fed, clothed and guarded at the expense of the honest men of the country. If this is the policy to be pursued by the State, let the law-making power so indicate, and the will of the General Assembly in this respect will be observed. All the officers of the State, in any manner whatever connected with this branch of the public service, have no interest to subserve but the interest of the people of the State; nor are they wedded to the policy which has been pursued. If the prisoners are to be kept within the walls of the prison and only worked there, many of them must remain idle, or the State must forthwith enlarge the prison walls, erect additional workshops, and furnish more motive power for those shops. The financial condition of the State will not permit this to be done, for, whatever number of prisoners may be employed to labor for the State, they will bring no revenue into the treasury, but the treasury must defray the cost of their board, clothing and guard service. And again, the State must borrow money for this purpose, or greatly reduce the expenditures of the government. But the limit of a temporary loan has already been reached, and



the State will be compelled to renew that loan, for a short period of time, and provide additional revenue.

It is well to compare the cost of managing and conducting the prison, and the number of prisoners, for a few years past. The prison, during the term hereinafter mentioned, until June, 1873, was managed and conducted as a manufacturing establishment by the State, and whatever was made by the labor of prisoners was applied to the support of the prison in addition to the money drawn from the treasury. From that date till November 22, 1875, the penitentiary was managed by the lessees, and from the date last named, it has been conducted by the State, and a large portion of the prisoners—as many as could be—were leased to contractors, who worked the prisoners within the walls of the prison, and the proceeds of their labor have been applied to the support of the penitentiary:

STATEMENT OF NUMBER OF STATE AND UNITED STATES PRISONERS REMAINING IN THE MISSOURI PENITENTIARY, AT THE CLOSE OF EACH YEAR, FOR THE TEN (10) YEARS ENDING DECEMBER 31ST, 1878.

Remaining in prison.	State.	United States.	Total	
December 31st, 1869....	735	.....	735	No records in the Warden's office by which the number of United States prisoners can be ascertained.
December 31st, 1870....	797	.....	797	
December 31st, 1871....	907	.....	907	
December 31st, 1872....	841	.....	841	
December 31st, 1873....	897	.....	897	
December 31st, 1874....	1,013	56	1,069	
December 31st, 1875....	1,257	21	1,278	
December 31st, 1876....	1,332	14	1,346	
December 31st, 1877....	1,276	23	1,299	
December 31st, 1878....	1,244	50	1,294	



## COST OF MAINTAINING THE PENITENTIARY.

For the two years 1869 and 1870.....	\$277,840.21
For the year 1871.....	103,852.15
For the year 1872.....	150,033.18
For the year 1873 (leased June, 1873).....	155,105.61
For the year 1874 (in charge of lessees) .....	.....
For the year 1875.....	104,625.90
For the year 1876.....	126,199.92
For the year 1877.....	96,010.01
For the year 1878.....	51,951.52

On this subject I desire to state facts only. A larger amount has been earned by the labor of prisoners during the past two years than was ever earned before. Those earnings have been applied to the support and maintenance of the prison. In addition to this, nearly all the labor used in the construction of the court-house was done by prison labor, commencing with the manufacture of the brick and cutting the wood wherewith to burn the brick, and quarrying the rock and erecting the building.

The proceeds of prison labor are as follows for the last three years:

1876.....	\$31,222.90
1877—Labor inside walls.....	\$52,611.94
1877—Labor outside walls.....	19,259.47— 71,871 41
1878—Labor inside walls.....	62,237.05
1878—Labor outside walls.....	30,042.93— 92,279.98

## COUNTY AND PROBATE COURTS.

By special laws, made from time to time, we had destroyed the uniformity which once prevailed in the organization and jurisdiction of courts. Particularly was this the case with the county and probate courts. In some counties the county court was composed of seven judges; in some counties of five judges; in others of three judges, and in some counties of one judge only. In some counties, where the court consisted of three judges, the judge of the probate court was ex officio presiding justice of the county court. In all counties the county court had charge of and administered county affairs; in some counties the court was a probate court. With respect to the probate court—or



court having probate jurisdiction—in some counties it was composed of one judge, in other counties of three judges. Some of the probate courts had exclusive jurisdiction of all demands against the estates of deceased persons, and other courts had exclusive jurisdiction of small amounts, and concurrent jurisdiction with the circuit courts of larger demands. By the acts of the last Legislature an uniform system of probate and of county courts was established. The county courts are now composed of three judges, and no more, and the compensation is fixed at \$3 per day and mileage, instead of \$5 per day, the former compensation. The per diem cost to a county is now \$9, instead of the sum of \$25, which was the per diem cost in many counties before the change of the law. The saving to the people in the amount paid to the judges of the county court ranges from \$6 to \$16 per day. Another saving in expense was made: the judges being of equal qualification, three judges will dispose of more business in a day than five judges.

I have no doubt that in many cases the compensation or emoluments of county officers is too great. This is shown by the fact that in some counties candidates proposed to perform the duties of the office they sought, for a much less compensation than that prescribed by law, and the surplus, if any, they promised should be paid into the county treasury. I recommend, therefore, that you especially inquire into the amount paid to all officers, State or county, and if, in your wisdom and judgment, the compensation or salary is too great, that you regulate such salary or compensation by prescribing a lower and different compensation, wherever it may lawfully be done.

#### EDUCATION.

The cause of education is increasing, and has received encouragement to the extent of the ability of the State to render, in these times of financial distress. No one proposes to reduce the amount of the revenue which is directed to be set apart for the support of public schools, though this can only be done by amending the Constitution. There is



but little doubt the sum to be distributed for the maintenance of the public schools will be an amount about equal to the sum apportioned for the year 1878 for the same purpose. The State University, including the Agricultural College and the School of Mines, is in a prosperous condition. The number of students has considerably increased under the present management. Its able professors, under the guidance of its distinguished president, attract pupils not only from almost every portion of our State, but also from neighboring States. The Normal schools appear to prosper. Reports from these institutions will be submitted to you in the early part of the session, and to those reports I respectfully refer you for full information of their management. The report of the Superintendent of Public Schools will show you the condition of this branch of education. In connection with this matter, I suggest for your consideration whether it is not advisable to provide that the county public school fund, as well as the congressional township public school funds, shall be invested in the bonds of this State. These funds would have amounted to a much larger sum if suitable care had been taken, and the investments made in the securities of this State.

#### CHARITIES.

The reports of the charitable institutions, as well as other institutions of this State, are now required to be made to you at an early period of the session. The State has been liberal in providing good and substantial buildings for the uses to which they are applied. They are insufficient to provide for all of the indigent who may be dependent on charity, but the State can not now afford to enlarge those buildings. This State expended last year the sum of \$589,056 for educational purposes, and for charities, \$137,137.

#### REPEAL OF LAWS.

The act entitled "Indians" was enacted when there were Indians residing immediately on the borders of our State. It was intended to prevent Indians from coming into



the State to hunt, and to prevent them from otherwise obstructing on the inhabitants of the State.

The act entitled "An act declaring the silver coins of the United States a legal tender in the State of Missouri," was one of questionable policy at the time it was adopted. It made the half dollars a legal tender for all sums, and the smaller coins of silver a legal tender in limited amounts, whilst by the laws of the United States these subsidiary coins are a legal tender to the amount of \$5, and no more. The silver in the half dollar and the other small coins is of the same purity as in the dollar, but two half dollars do not contain as many grains of silver as the silver dollar contains. I recommend the statutes concerning Indians and making silver coins a legal tender be repealed. The one is of no farther use—the other is now a bad law.

#### SUIT WITH HANNIBAL AND ST. JOE RAILROAD COMPANY.

By virtue of the provisions of a joint resolution of the last General Assembly concerning the Hannibal and St. Joe Railroad, the Governor, with the concurrence of the Attorney-General, was authorized to employ counsel to enter the appearance of this State to a bill in equity pending in the Supreme Judicial Court of the State of Massachusetts, wherein the said railroad company was the complainant and Sidney Bartlett and other trustees were defendants, for the purpose of closing their trust. It was claimed this State had a lien on the proceeds of the sales of lands, after the extinguishment of a mortgage given in 1856 by the company, and that the surplus proceeds of such sales should be paid into the treasury of the State for the purpose of paying the bonds of this State loaned to the railroad company. The attention of the General Assembly was called to the subject by my predecessor, with the recommendation that the State should enter its appearance to that suit. Under the provision of the joint resolution an able jurist of the State of Massachusetts—Benjamin P. Thomas—with whom a consultation had been previously held on this subject, was employed to enter the appearance of the State and to attend



to its interests. The claim of the State was based on the 18th section of the act of December 10, 1855. The case was heard at the April term, 1877, of said court. The decision was adverse to the claim of this State, as will appear by the following extract from the decree of the court:

“Second. That the only interest of the State of Missouri in the lands conveyed by said trust indentures and in the proceeds of such said lands as have been heretofore sold, and in the contracts for the sale of any of said lands heretofore made, is under the 18th section of the statutes of the State of Missouri, of the 10th of December, A. D. 1855, which requires the complainant to pay into the treasury of said State the surplus proceeds of all land sales, or such other securities as may be provided by the Hannibal and St. Joseph Railroad Company aforesaid, in a deed of trust or otherwise in a plan to be adopted by said company to raise funds to complete the road. That by the true construction of said statute, no such surplus can be held to exist, except such as would remain after deducting the amount of all expenses and obligations lawfully incurred by the incorporation in completing, equipping and putting in operation its railroad, including: 1. Sums advanced by the corporation to the trustees for expenses of the management, surveying and disposing of the lands granted under the acts of Congress, and included in the deeds of trust, and for taxes thereon, and to satisfy reclamations for bad titles and other incidental expenses. 2. Sums paid by the corporation, either in money or in stock, to discharge the bonds issued by the corporation and secured by the deeds of trust, including the interest on such lands.

“Third. That it is found by the report of the Master, and adjudged by the court, that the whole value of the lands now held under the said deeds of trust, and of all the proceeds of lands sold, and investments of the same, now held by said trustees, is much less than the amount of the deductions aforesaid to which the complainants are entitled, before there will be any ‘surplus’ to which the right of the State of Missouri can attach.”



The sum of \$2,000, which was appropriated to pay counsel for services in that suit, was not drawn from the Treasury, for the court ordered the trustees to pay to Benj. P. Thomas, Esq., out of the proceeds of the land sales in their hands, the compensation to which he was entitled.

SENATOR BOGY.

Since the adjournment of the Legislature, Hon. Lewis V. Bogy, one of our Senators in Congress, departed this life. He was a native of this State, and his life had been devoted to the advancement of the material interests of our State. His eulogy has been pronounced by those more intimately acquainted with him than I, some of whom served with him on that theater, which from his boyhood days it had been his ambition to occupy, and which he did occupy with great credit to himself. It will be your duty to fill his unexpired term, now held by Hon. D. H. Armstrong.

CONCLUSION.

In the matters I have submitted for your consideration, I have not attempted to support them by arguments, but to state the facts and conclusions to which I have been brought by my deliberate judgment, and I trust the result of your deliberations will be to promote the welfare and to increase the prosperity of the people of this State.

JOHN A. PHELPS.

Executive Office, Jefferson City, Missouri, January 9, 1879.



## SECOND BIENNIAL MESSAGE

JANUARY 6, 1881

*From the Journal of the House of Representatives, pp. 13-43**Senators and Representatives:*

The Constitution requires the Governor of this State, at the close of his term of office to give information to the General Assembly of the condition of the State, and to recommend such measures as he shall deem expedient. In this message, I have endeavored to comply with those requirements by giving you, in a brief manner, information of the condition of the State, and to mention but few matters upon which legislation is, in my opinion, required. The affairs of the State are in a prosperous condition; the laws are generally faithfully executed; quiet prevails; the people are prosperous; the costs to the State of criminal prosecutions are diminished; the Penitentiary has become a self-sustaining institution, and economy prevails in all departments of the State Government.

## THE TREASURY.

The condition of the Treasury naturally first attracts the attention of the tax-payers. They maintain and support the government, and have the right to inquire and be informed how and in what manner their contributions have been applied and expended. The expenditures of our State government are necessarily divided into expenditures to liquidate indebtedness of the State, the payment of the interest on the same, the payments of salaries and compensation of officers for the due execution of the laws, and the expenses of levying and collecting the money needed and required to keep the machinery of government running. A part of that machinery consists of our courts of justice, where the rights of parties to property are settled, damages awarded for injuries done to persons or property, and those guilty of crimes are punished. We have also the blind, the mutes and the insane to care for, educate and pro-



fect. Their misfortunes and their maladies enlist our sympathies. Not sufficiently numerous to require asylums in every county for their education and support, the care of these people devolves upon the State, and a part of the revenue of the State is bestowed in erecting suitable buildings for their comfort and maintenance, and expenditures on this account may be classed as eleemosynary, yet in part partaking of educational. It is said the safety of our government, in part, depends on the education of the people. The eminent legislators of this State, in recognition of that fact, did at an early day, establish an excellent system of public schools, and also provided for a State University. This brings us to another branch of expenditures—the educational. Besides the State University and the public schools, other institutions of learning have been established by the State for the purpose of educating and training the students to be instructors in our schools. I refer to the three State Normal Schools and to the Lincoln Institute. The latter is now a State institution, and is designed especially for the education of colored persons.

The receipts from all sources, including the balance on hand January 1st, 1879, and disbursements from the Revenue fund for the last two years, are as follows:

Revenue fund.	Dr.	Cr.
By balance January 1, 1879.....		\$120,224.98
By transfers from Library fund.....		1,355.30
By proceeds from sale of \$250,000 revenue renewal bonds in June, 1879.....		256,875.00
By receipts in 1879 from revenue resources.....		1,443,603.49
By receipts in 1880 from revenue resources.....		1,323,586.74
By amount refunded by Carter & Regan....		19.16
To transfer to school moneys March, 1879..	\$328,255.18	
To transfer to school moneys March, 1880..	340,746.09	
To warrants issued in 1879.....	*1,414,583.19	
To warrants issued in 1880.....	778,053.43	
To balance.....	284,026.78	
	\$3,145,664.67	\$3,145,664.67

\*This includes \$250,000 paid for revenue bonds which matured June 1st, 1879.



This shows a balance of \$284,026.78 in the Revenue fund. But a part of these receipts, though properly placed in the Revenue fund, are not usual receipts, as \$256,875 thereof were the proceeds of the sale of two hundred and fifty renewal revenue bonds of \$1,000 each, authorized to be issued and sold by an act of the Legislature, approved May 9th, 1879, to pay the revenue bonds which were issued in accordance with the act of April 23d, 1877.

It is to be observed, also, that \$250,000, with \$30,000 interest on the same, are not ordinary expenditures.

There has been expended for the maintenance and support of our eleemosynary institutions, for the last two years, the sum of \$327,057.50, paid from the Revenue fund. This includes the cost of rebuilding the Lunatic Asylum, in 1879-80, at St. Joseph.

There was also expended during the same time, in support of our common schools, the Lincoln Institute, the three Normal Schools and the State University, the sum of \$1,145,381.89. But of this amount the sum of \$363,720 was paid out of the Interest fund, being the amount of interest which had accrued on bonds and certificates of indebtedness of the State, held in trust for the State School and Seminary funds. Nevertheless, those sums of money were raised by taxation of our people during the last two calendar and fiscal years.

#### OF THE REVENUE.

The revenues of the State will naturally increase some with the increase of population and of wealth. The price of property, and particularly of real estate, has been greatly depressed for a few years last past. In the latter part of 1879, the price of all kinds of property increased, but at too late a period to enable the enhanced valuation to materially affect the assessment of that year. It must be borne in mind all persons are required to give in the property held and owned by them on the 1st day of August, and the valuation of the same is to be made of that date, but the taxes will not be ready for collection on that assessment



till the autumn of the next year. The following statement shows the valuation of the real estate, the personal property, and the railroads, bridges and telegraphs, in this State, for the years named:

1878:

Land.....	\$218,726,215
Town lots.....	167,167,113
Personal.....	142,620,636
Railroads, telegraph and bridges.....	26,726,591
Total.....	<hr/> \$555,240,555

1879:

Land.....	\$212,519,110
Town lots.....	169,036,454
Personal property.....	147,661,910
Railroads, telegraph and bridges.....	29,143,969
Total.....	<hr/> \$558,361,443

The assessment of 1879 is the assessment upon which the tax has just been collected, and the assessment of property which was made on the 1st day of August last, is not yet completed, but the tax will be payable in the autumn of 1881, and will be levied on that valuation. Additional taxes will be derived from licenses and from the ad valorem tax levied on merchants and manufacturers, as well as dram-shop or beer house licenses. For more particular and specific information concerning the revenue, I refer you to the State Auditor, and the valuable tables accompanying it. I am of opinion a portion of the Renewal Revenue bonds can be paid at their maturity, but not all.

#### STATE INTEREST AND SINKING FUND.

The tax which forms the Interest fund is one fifth of one per cent., or 20 cents on the \$100 of the assessed value of property, levied on all real estate and other property and effects subject to taxation, and, by the provisions of the Constitution, is to be applied to the payment of the interest on the public debt. The interest on the public debt has been



promptly met and paid. The residue of the Interest fund constitutes the Sinking fund, and is to be applied to the extinguishment of the bonded indebtedness of the State. During the years 1877 and 1878, the sum of \$535,000 was paid in the extinguishment of the public debt. The law provides when there is sufficient money in the Sinking fund to purchase one or more bonds of the State, the Fund Commissioners shall call in for payment a like amount of the bonds of the State, (the Hannibal and St. Joe Railroad bonds excepted,) but the commissioners shall not purchase or redeem any such bonds at a higher rate than their "face value." No bonds of this State fell due in 1879, according to the previous reports of the Fund Commissioners, and all descriptions of bonds which the commissioners were authorized to purchase, sold in market at a premium of from 4 to 10 per cent. None of the "option," or 5-20 bonds were redeemable till the 1st of May of last year. Public notice was given that all which were redeemable at that date, and designated by their numbers and series, would be paid on presentation to the National Bank of Commerce in the City of New York, and that interest would cease on and after that date. This bank had been, by the commissioners, previously selected as the depository and fiscal agent of the State for the payment of the interest, payable in New York, on the bonded debt. Money was, by order of the Fund Commissioners, deposited with said bank for that purpose. As the interest on the bonded indebtedness was due on the 1st of July, in the opinion of the Fund Commissioners, no more money could be spared for the redemption of bonds at that date. Public notice was given that \$40,000 of bonds would be redeemed on 31st of July last, and that interest would cease on and after that date, and another public notice was given that \$75,000 of bonds would be redeemed on the 31st of August last, and that interest would cease on and after that date. Funds wherewith to redeem said bonds were placed with the Bank of Commerce at the time the said notices were respectively given. The payment of the interest on the public debt on the 1st of January last,



was dependent on the collection of taxes during the months of November and December. A large amount of the taxes collected in the month of December is not received at the Treasury till some time in the month of January. Yet \$402,000 was, in the month of December last, remitted to the National Bank of Commerce of New York City, for the payment of the interest due on the public debt on the first of this month, payable in the City of New York. The interest due for the year 1880 on the bonds held in trust for the Public School fund amounting to \$120,540 was set apart in the Treasury in the month of December last, though none of it will be disbursed till the month of March; and \$3,660, the interest due the first of January last on the bonds held in trust for the Seminary fund, has been paid to the Treasurer of the Board of Curators of the State University. The interest on the certificate of indebtedness of \$900,000, is not payable till the first of March, 1880. In the first call of bonds for redemption, there were embraced 22 bonds which belonged to the Seminary fund. It was not intended by the commissioners to redeem any bonds held in trust by the State for any of its funds. This error was not discovered till it was too late to remedy it, except in the call for bonds for redemption on the 31st of December last. The Fund Commissioners, therefore, on the 10th of December last, called in for redemption \$167,000 of the bonds of the State, and gave notice that the interest thereon would cease on and after the 31st day of last December. \$22,000 of the money necessary for that purpose was on deposit with the National Bank of Commerce of New York City, and on the day the call was made the residue of the money was ordered to be remitted by the Bank of Commerce of St. Louis. Thus while none of the bonded indebtedness of the State was paid in 1879, for the reasons given, yet in the year 1880, double the amount of bonded indebtedness required to be paid in 1880 was redeemed in that year. In the four years last past, there has been paid out of the Sinking fund \$1,035,000 of the indebtedness of the State—a reduction annually of more than \$60,000 of interest, leaving that



much more of the Interest fund applicable to the payment of the bonded indebtedness of the State.

The following table shows the receipts, including the balance on hand on the first of January, 1879, and the disbursements of the Interest fund for the last two years, showing a balance of \$73,629.77:

State Interest Fund.	Dr.	Cr.
By balance January 1, 1879.....		\$156,039.79
By receipts in 1879.....		1,240,284.84
By receipts in 1880.....		1,188,755.87
To warrants issued in 1879.....	\$963,332.00	
To transfer to school money in 1879, to pay interest on \$900,000, school certificate.	54,000.00	
To transfer to sinking fund in 1879.....	1,000.00	
To warrants issued in 1880.....	940,118.73	
To transfer to school moneys in 1880.....	54,000.00	
To transfer to sinking fund in 1880.....	499,000.00	
To balance.....	73,629.77	
Total.....	\$2,585,080.50	\$2,585,080.50

The State holds in trust for the Seminary fund \$122,000, and for the School fund \$1,958,000, making the sum of \$2,080,000, all of which said bonds are 5-20, and may now be redeemed, as five years have elapsed since their issue. The Educational funds of the State are principally invested in 5-20 bonds. I cannot recommend any course by which those funds shall be impaired or their revenues be diminished. To reduce the rate of interest or to re-invest (which can only be done by paying a premium,) the amount in any bonds of this State, will seriously impair the revenue of those funds, and I will not believe, till I shall hear it so avowed, that any one considerably desired to impair the School funds or to diminish their income. Of the State bonds, proper, outstanding, there are \$137,000 which may be redeemed at this time, as the Legislature provided for their redemption after the expiration of twenty years. Until a recent examination, it was believed they were not



redeemable till 1883, and were so reported; the residue of that series of bonds are redeemable in 1882 and 1883. And there are \$4,000 of bonds of the North Missouri Railroad which will fall due in 1885. No bonds will fall due in this year, and whatever bonds may be redeemed must be called from the "option" bonds.

#### INDEBTEDNESS OF THE STATE.

Not including the \$3,000,000 of bonds of the State loaned to the Hannibal and St. Joseph Railroad Company, on which that Company has promptly paid the interest, the bonded indebtedness of the State on the 1st of January of this year was \$16,259,000. This amount does not include a few bonds which are past due and have been outstanding for several years. Money was placed in New York for the redemption of those bonds, at the time they severally fell due, and from the date the money was so placed by the Fund Commissioners they have been regarded as paid. The State holds in trust for the Public School fund and for the Seminary fund \$3,031,000, which bonds have been defaced so as to destroy their negotiability, in accordance with a law of the last Legislature. This leaves in circulation only \$13,228,000 of State bonds, and the annual interest is only \$975,540. This does not include the temporary loan of \$250,000 which will fall due next June.

#### THE MASTIN DEFICIT.

The State Treasurer, in January, 1879, reported a balance of the money in the Treasury was "deposited and held" as follows:

National Bank of State.....	\$3,045.25
The Mastin Bank.....	286,187.80
Reid and Chrisman.....	5,000.00
Clinton county bonds in vault.....	49,000.00

The deposits and investments of the moneys herein stated were made without the consent of the Attorney-General and the Governor, and whatever security the Treasurer may have had was not submitted to the Attorney-General nor



to the Governor, to learn whether or not it was satisfactory. In brief, the deposits of said moneys were made entirely on the responsibility of the Treasurer, and without the advice or consent of any State officer empowered to pass on that question. In the month of May, 1879, there was paid to Col. Gates \$5,321.59, on account of a dividend due to him from the Mastin Bank. In October, 1879 the sum of \$5,000, deposited with Reid and Chrisman, and the \$49,000 of Clinton county bonds, disappeared from the Treasurer's statement. If those bonds belonged to the State, then the money received on the two semi-annual coupons on each bond should have been paid into the Treasury. In December, 1879, the Mastin Bank deficit is diminished \$33,634.01, and in the Treasurer's annual report, made to me in January, 1880, for the year 1879, it is stated he has realized the last named sum from his official bondsmen, for which he has "assigned to them a like amount of my (his) claim against the Mastin Bank." Another reduction of the Mastin Bank deficit took place in June, 1880, of \$20,000, said to have been received from one of the sureties upon the bond given by the Mastin Bank to Col. Gates for the safe keeping and return of his deposits, and paid in consideration that this bondsman shall be held to no further liability on that account. In the month of July last, the further sum of \$43,709.55 was deducted from said deficit, which was received from the assignee of said bank as a dividend on a claim allowed in favor of Col. Gates against it. From time to time, the amount of money deposited with the National Bank of the State of Missouri was diminished, until in September last, it entirely disappeared from the Treasurer's report. There is now the sum of \$183,522.65, as claimed by Col. Gates, held by the Mastin Bank. Promises have been made to me that this sum should be paid before the meeting of the Legislature, but those promises have not yet been redeemed. No settlement was approved by the Legislature of the Treasurer for the first two years of his term of office, nor was a settlement of his accounts made at the time of giving his new bond.



The laws did not permit nor authorize a suit to be brought against Col. Gates and his bondsman; and the first time a suit can be brought on his official bond will be when he shall fail to deliver to his successor the funds which have been entrusted to his care and safe keeping. If there shall be no deficit—if all the money with which he stands charged shall be legally accounted for or paid to his successor—then no suit can be maintained. But if, on the contrary, he does not lawfully account for all the money which came to his hands, and pay to his successor the balance, (if any there shall be) he and his bondsmen will be liable on his bond for the deficiency. But it is claimed the State has priority of payment over all other creditors in cases of insolvency, and that this principle of law is applicable to the case of the Mastin Bank. That the State, by express statutory enactment, has priority of payment over all demands—except funeral expenses and expenses of last sickness in case of the estates of deceased persons—and also priority of payment of taxes assessed on real estate, is true. But does this priority of payment extend to any other cases? Good reasons exist to cause such a statutory provision to be made, but the enactment of a law of that import cannot have a retroactive effect. If the State can assert and maintain priority of payment in the case of the Gates deposit in the Mastin Bank, and cause all persons to whom the assignee in good faith has paid the dividends in the same manner as they have been paid to Col. Gates, then must all who have received dividends from the assignee of said bank be called upon and made to refund the payments already made to them, or sufficient to pay the deficit. And if priority of payment to the State exists in this case, and can be enforced, then the sureties of Col. Gates, who have already paid more than \$30,000 for him, can assert this principle for their benefit. And if the sureties of Col. Gates shall now pay into the Treasury the \$183,522.65, now held by the Mastin Bank, those sureties would, by existing laws, be subrogated to all the rights of the State.



## REVENUE BONDS.

In 1877, I found the Treasury in a depleted condition. Certificates of indebtedness had been issued, liabilities had been incurred, and demands filed with the Auditor for settlement in the year 1876, amounting to more than \$266,000, as stated in my special message to the Legislature, in March, 1877. The revenues of the State at that time were insufficient to meet the exigency. I recommended a temporary loan to be made to supply this casual deficiency, (and would have recommended a larger sum, but the Constitution forbade) in accordance with the provisions of the second clause of section 44, of article 4 of the Constitution. The authority was given, and the loan was made. The revenues of the State were inadequate to defray the current expenses of the State government, the other expenditures charged to the Revenue fund, and also to redeem those bonds. Hence, authority was given by the Legislature of 1879, to redeem the Revenue bonds by negotiating another 6 per cent loan, payable in two years. Proposals were invited in the manner provided by law, and the loan was awarded to the highest and best bidder at a premium of  $2\frac{3}{4}$  per cent., amounting to \$6,875.

## RATE OF INTEREST.

I recommended to the last Legislature a reduction in the rate of interest. The proposition at first was received with favor, but afterwards alarm was created in the minds of some, lest capital from other States should be withdrawn. But during that winter the Legislatures of the States of Illinois and New York considered the question—the first named State reducing its legal rate of interest to 6 per cent., and by contract 8 per cent. per annum, while the State of New York reduced its rate of interest from 7 to 6 per cent. per annum. The same reasons which influenced me then to make that recommendation, causes me again to recommend a reduction of the rate of interest to 6 per cent. per annum, with suitable provisions to cause the law to be respected and observed. It has been recently urged, in order



to induce capitalists of this State to invest in the bonds of the State, that the capital so invested shall be exempt from taxation. There is no good reason presented to my mind why we shall amend the Constitution of the State and exempt any property from taxation. Why should the money of the capitalist be exempt from taxation because he invests it in the bonds of this State, or of the cities and counties of this State? By many political economists it is considered the taxes levied on property are for the purpose of defraying the expenses of its protection, and that property of all description should be taxed in order to defray the expenses of the government in making laws for its protection, and the costs and expenses of enforcing those laws. We can borrow money at as low a rate of interest as 4 per cent. per annum, but our necessities are not such, at this time, as to require the postponement of the day of the payment of our indebtedness, in consideration of a reduced rate of interest. Instead of inviting the capitalists of this State to invest their money in State or municipal bonds, I prefer to see it invested in the development of our mines, the building of railroads and the establishment of manufactories. Millions of dollars worth of cotton are transported through this State—some raised in it—and a few hundred bales only manufactured here. We continue to import to this State iron and steel, and yet the raw material from which it is produced is abundant. Sheep-husbandry is one of our great sources of industry, yet but few woolen goods are manufactured by us. We send the hides of our beeves away to be manufactured, and they are returned to us in boots and shoes. Instead of encouraging all those who have capital to be money-lenders, why not, (if encouragement is to be given to any) encourage investments in mining, manufactures, and in commerce!

#### EDUCATION.

The number of students at the State University, the School of Mines and the Lincoln Institute, on the first of November last, is in excess of the number in any previous



year attending those institutions at the same date. The number of students at the State University, in all its departments, is now 500. This number of students is a sure test of the correct discipline maintained, and the meritorious standard of education adopted at the University, and is a testimonial to the good character of the president and the other members of the faculty as educators and instructors of the youth entrusted to their care. At the Normal Schools fewer students are in attendance than in former years. This, perhaps, may be attributed to the fact that those to whom has been entrusted the management of the Normal Schools have been more strict in requiring the student to obligate himself to following the profession of teaching in this State, after he shall have graduated. This requirement is in accord with the basis upon which the Normal Schools were established, and should be exacted of the students by those schools. The School of Mines and Metallurgy, at Rolla, is in a prosperous condition. The frequent discovery of mines of the precious metals in the territories, and the demand in this State for mining engineers, have no doubt caused an increase of students to qualify themselves to follow the profession of mining engineer and geologist. For the first time in its history, the Lincoln Institute has an entire corps of colored teachers. Prof. Page and his assistant teachers have thus far given general satisfaction to the trustees, and the patrons of the Institute. The Lincoln Institute was organized in 1870, and was established by the money previously subscribed for that purpose by colored soldiers, aided by a few philanthropists. After slavery was abolished, and the negro was made a citizen and entitled to all the legal rights to which other citizens were entitled, it was deemed desirable to educate some of their class to be teachers in the public schools of this State, so that the colored children should have the same legal right to the public money, and to obtain an education, which the white children in the State possessed. Provision was made for separate schools, and in many of the villages and towns of the State, schools for colored children are regu-



larly taught, and are well patronized and maintained. The Lincoln Institute, however, has struggled for an existence. The youth who resorted to it to obtain an education had a rugged pathway to travel to support themselves and to devote their time to study, instead of labor. The Legislature did assist the Institute, but the building did not belong to the State. A debt had been incurred by the trustees, which embarrassed the operations of the school. The last Legislature of 1879 appropriated \$15,000 to the support of the Institute, provided \$5,000 should be applied to the payment of its indebtedness. This appropriation was contained in the general appropriation bill, and was a grant to a corporation managing a charity. The Constitution provides: "The General Assembly shall have no power to make any grant \* \* \* \* \* of public money or thing of value to any individual association of individuals, municipal or other corporation whatever." The grant of money to the Lincoln Institute was in violation of the part of the Constitution just quoted, and, as matters then stood, could not receive my approval. I was, ex officio, a member of the board of trustees. The trustees were assembled, and with no dissenting voice, it was resolved the building of the Lincoln Institute and its school apparatus and furniture should be conveyed to the State. The deed was made, executed, acknowledged and recorded, and the appropriation bill was then approved. It is too soon now to be done, but the Lincoln Institute will, if properly cared for, occupy the same position to the colored people of the State which the State University holds to the white people of the State. It was a wise act to place the Lincoln Institute under the control of the State government, where it can be cared for and protected in the same manner as other State institutions are protected and maintained.

I requested the Superintendent of Public Schools to ascertain the number of students on the first day of November in each year, for the last six years, in all the institutions of learning and education throughout the State, except the public district schools and private schools of like grade.



It has been stated that the people of the West, if they emigrated from the Southern States, are not disposed to aid, encourage and foster institutions of learning. This opinion has probably been based upon criticism expressed concerning the management of our public schools, and some are found condemning the system who only wish to censure the mode of management. We find in many portions of the State large and ornately built public school houses—some of them three stories in height—and when the children of the school district are assembled, there is not a sufficient number of them to fill the rooms on the ground floor. And if this were all, it would be tolerable. But these school houses were built with money raised by the sale of bonds issued by the district, and the school taxes for interest and other proper purposes, become so enormous that the people cannot pay them—much less the principal—and many join in a pardonable complaint against the system, when the censure is really intended to be furlled against the extravagance and recklessness of expenditures sometimes practiced in the name of the public schools. The people of the West and South are thoroughly imbued with the necessities of a free public education, and have demonstrated their perfect willingness to support and encourage such a system. So far as this State is concerned, its aid and encouragement of public schools will favorably compare with any other State in the Union.

A statement of facts furnished by the reports made to that able and efficient officer, Hon. R. D. Shannon, Superintendent of Public Schools, will substantiate the statements made by me. There are three descriptions of school funds—the State School fund, the County School fund and the Congressional Township School fund. In 1874 the State School fund was \$2,624,354. In 1875 that fund was increased about \$286,000 and the increase was principally from the conversion of 5-20 United States bonds, held by the State, into bonds of this State. The State School fund now amounts to the sum of \$2,909,792. The County and Township School funds aggregated, in 1874, the sum of \$3,037,440, but many



counties that year failed to make report of those funds. The County and Township School funds, and some special school funds held by counties and the city of St. Louis, this year amount to \$5,867,359, and the total funds in this State for educational purposes, on the first of January last, was \$8,950,805, and of this sum \$3,031,000 are bonds and certificates of indebtedness of this State, upon which interest at the rate of six per cent. per annum is regularly paid. School moneys are now apportioned according to the number of children between the ages of 6 and 20 years—formerly between 5 and 21 years. The apportionment is made on the enumeration of the preceding year; thus, the apportionment of money for 1881 will be made on the enumeration of 1880. I give the enumeration and apportionment for a few years:

	No. of children.	Apportionment.
1877.....	676,153.....	\$539,760
1878.....	688,248.....	537,306
1879.....	702,153.....	502,795
1880.....	723,484.....	515,286

A fluctuation of the receipts of the Revenue fund will cause a variation in the amount to be apportioned. The moneys apportioned are derived from interest on the indebtedness of the State to the Public School fund, and 25 per cent. of the taxes received annually by the Revenue fund; and it appears there was paid to teachers of the public schools during the last two years the following sums: In 1879, \$2,211,926; in 1880, \$2,218,637.

The result of the inquiries made by the Superintendent of Public Schools shows the number of students in the various seminaries of learning in this State—excluding the district schools and private schools of that grade—as follows, in the years named:

1875.....	6,993
1876.....	7,785
1877.....	7,985
1878.....	8,097
1879.....	8,667
1880.....	9,395



This table demonstrates that all the institutions of learning, of a higher grade in this State are well patronized, and that the people are duly impressed with the great importance of giving to their children a good and thorough education.

#### THE STATE CENSUS.

Congress has provided that if any State or Territory, by its duly appointed or authorized agents, during the two months beginning on the first Monday of June, in the semi-decennial years, shall take and complete a census, in all respects according to the schedules and forms of enumeration prescribed for the census of the United States and shall deposit with the Secretary of the Interior on or before the first of September following, a full and authentic copy of all the schedules returned and reports made by the persons charged with such enumeration, the Government of the United States will pay to such State or Territory a sum equal to 50 per cent. of the amount which was paid by the United States to all supervisors and actual enumerators at the last preceding census, increased by one-half the percentage of gain in population in such State or Territories between the two United States censuses next preceding. But the blank schedules to be used for this purpose shall be similar in all respects to those used by the United States. The law of this State provides a census shall be taken by the assessors of the counties, and of the city of St. Louis, in 1886, and every tenth year thereafter, but not in so comprehensive a manner as required by the laws of the United States. An enumeration of the people of this State was taken every fourth year, pursuant to the requirements of the Constitution of 1820, until 1848, and thereafter in pursuance of law until 1868. After the census of 1868, it was provided a State census should be taken in 1876 and every tenth year thereafter. I recommend the law providing for taking the State census be so changed that the census shall be taken in 1885 and every tenth year thereafter, and that the return of said census shall be made on schedules of the same description and in like manner as the returns of the



tenth census of the United States were made by the supervisors and enumerators and that the enumeration shall be made within the time named in the act of Congress to which I have referred, so that the State may receive the benefit of the provisions of said act. I invite your attention to this matter at this time so that if you shall concur in the views I have expressed, steps shall be taken forthwith to change the law. And if the change shall be made at this session of the Legislature, the law will be subject to the scrutiny and discussion of our constituents, and if defective in any particular, there will be ample time for its amendment. And if you shall make such change in our laws, it may be the means of inducing other States to provide for taking a census in 1885, so that there may be a complete enumeration of the people of the United States taken by State authority in that year. The census was taken in 1876 of every county in the State except St. Louis. The amount paid to the assessors for their services in taking the census was \$54,113.06. The compensation which would have been paid to the assessor of St. Louis, if he had performed the duty, was so entirely inadequate to the services to be performed, that he positively refused to perform the duty. The cost of taking the tenth United States census of this State is \$98,770.79, and this includes the cost of obtaining statistics concerning manufactures.

The population of this State by the census of 1880 is 2,169,091. By the census of 1870, the population was 1,721,295, showing an increase of 447,796 inhabitants in ten years, an increase of a little more than 26 per cent. in that time. The State census, exclusive of the city and county of St. Louis, showed a population in 1876 of 1,547,030, and of 1,370,106 in 1870, by the census of the United States, an increase of that portion of the State of 176,924 or 11 43-100 per cent. in six years—less than 2 per cent. per annum—and at the rate of 29,487 per year. The census of 1880 for the same portions of the State shows an increase of 239,651 inhabitants over the State census of 1876, an increase of nearly 15½ per cent. for that period of time,



and not quite 4 per cent. per annum increase for the last four years, and at the rate of 59,912 inhabitants per year.

It will be the duty of this Legislature to divide the State into convenient districts for the election of Senators, as nearly equal in population as may be, as shown by the census recently taken by the United States, and also to apportion representation, in accordance with the provisions of our Constitution.

#### IMMIGRATION.

The people of this State—though conscious of its great natural advantages over other States in climate, soil, production, the richness and abundance of its mines and mineral products, its fertile prairie lands, interspersed with timber of an excellent quality, its timber, suitable not only for building but for manufacturing purposes, and its rivers and streams of water, have not sought till recently to make known these great advantages to the people of our sister States, or to the people of foreign lands. The last Legislature provided for the establishment of a Board of Immigration, but the amount of money placed at its disposal was so inadequate to the expectations formed, that the people themselves were forced to take hold of the question with vigor and they stepped to the front to supply the means necessary to accomplish the objects desired. But in the meanwhile the State Board of Immigration had prepared and published a small pamphlet, giving a description of the State by counties, and an excellent map to accompany the same. The labors of the State Board of Immigration induced inquiry by the people of other States and of foreign lands, intending to seek a new home, concerning the advantages which this State possessed. In another portion of this paper I have shown that since September, 1876, to June, 1880, calling the period of time four years, the population of the State naturally increased, and the increase by immigration was about 60,000 persons per year. The efforts of the Board of Immigration were ably supplemented by the voluntary association formed by the people of this State. Enterprising and wealthy gentlemen of St. Louis



furnished the moneys required for this grand work. A convention of the able and energetic men of the State was held in St. Louis in April, 1880. The action of this convention did not aid to increase the population of this State embraced in the Federal census, but its influence is now felt, and has been felt since last autumn, and will continue to be felt for a long time. That association has published a map and a handbook of Missouri. In the latter there is a brief description of the advantages each county in the State possesses, and with the additional statistics which it is hoped will be published in a second edition, the whole story of the wealth and resources of our State will be briefly narrated. I hope the Legislature will make a liberal appropriation to stimulate and encourage immigration to this State.

#### RAILROADS.

The building of railroads is an indication of the wealth and prosperity of the people. While the people on the line of the projected roads may not have the money wherewith to construct and equip these great and costly conduits of commerce, yet they may have the wealth of products to be transported, which will insure to the capitalist building the road a fair income on his investment. Such has been the condition of the people of this State. We have not been able to furnish money to build railroads, but the products of our fertile soil, the wealth of our inexhaustible mines of coal, lead, zinc and iron, all promised a bountiful recompense to the capitalist who would provide means to transport to the consumer this great wealth, produced by the husbandman and miner. From the first of July, 1876, to the 31st of December last, 867 90-100 miles of railroad have been put in operation in this State. From July 1st, 1876, to July 1st, 1878, only 66 10-100 miles of railroad were put in operation, the depressed prices, which then prevailed, materially paralyzing all branches of business, and financial embarrassment and distress was impending on all. From July 1st, 1878, to December 1st, 1879, a period of eighteen months, 411 50-100 miles of railroad were



put in operation, and for the calendar year just closed, 390 30-100 miles of railroad were completed. And I am induced to believe the number of miles of railroad which will be put in operation during this year will be no less than that of last year. For further information concerning the railroads of this State, and their management, you are respectfully referred to the report of the Board of Railroad Commissioners.

#### EXECUTION OF CRIMINAL LAWS.

The criminal laws are, as a general rule, faithfully executed throughout the State. The extraordinary delays which formerly occurred in bringing to trial persons charged with high criminal offenses have ceased to impede the arm of justice. But in the city of St. Louis great delays have occurred in many of the important criminal cases pending in the courts of that city. In some of those cases, by reason of "the law's delay," justice may be thwarted and the guilty escape the punishment due for their crimes. Criminals seldom lose anything by delay. The witnesses whose testimony is important and material to establish the guilt of the accused, may die, or they may remove beyond the jurisdiction of the court, or, wearied by frequent attendance on the court, merely to hear the cause is continued, they become disheartened and fail to attend. There was abundant testimony to establish the guilt of the accused at the date of finding the indictment, but for the reasons given, and for others which will suggest themselves, there is a lack of proof, and the defendant is finally discharged. The criminal court of St. Louis holds six terms of court each year, and there are now cases on the docket of that court which were first placed there three and four years ago. In other portions of the State, the courts which have jurisdiction of criminal cases hold generally but two terms (in a few counties, three terms) each year; and yet criminal business is conducted with far greater dispatch in those counties than in the city of St. Louis, with six terms of its criminal court each year. Frequently, in the most im-



portant criminal cases pending in the criminal courts outside of the city of St. Louis, a final judgment is rendered in from six to twelve months after the crime was committed. The special laws governing the administration of criminal justice in that city, in my opinion, require immediate revision. While one court, by its judgment, sentences a man to imprisonment in the work-house, another court in the same city has discharged him because he is illegally held in prison. It may be advisable to reorganize the criminal courts of that city, and to provide for an additional judge of the criminal court, to enable its business to be transacted with dispatch. As a general rule, crime in this State has diminished, and this, in part, is due to the prompt and speedy administration of the laws and the due execution of the sentences of the courts.

#### COSTS IN CRIMINAL CASES.

There was appropriated for the payment of costs in criminal cases, for the last two years, \$450,000. The last Legislature made some change in the laws regulating costs in criminal cases, which took effect in November, 1879. But the diminution of expenditures under this head is not to be entirely attributed to that legislation. Fewer crimes have been committed and the interminable delays which were incident to the administration of criminal laws, in a large portion of the State, have ceased to impede the demands of justice. The expenditures under this head, for the last six years, are as follows:

1875.....	\$244,773.70
1876.....	227,380.98
1877.....	239,321.65
1878.....	201,722.97
1879.....	208,836.20
1880.....	126,697.79

This table is based on the actual allowance by the Auditor of fee bills against the State, though the payment may have been made in the next year. If the laws shall be faithfully executed, there is no reason for an increase of expenditures.



## REVISION OF LAWS.

The last Legislature performed a very important and arduous labor. The laws of this State, contained in the last revision and also embraced in about a dozen volumes of acts of the Legislature, passed since that time, were revised and digested in a manner which reflects great credit on our Legislature and the individuals having charge of the work, and would reflect great credit upon any legislative body. It is not to be expected that such a labor is perfect. No very important amendments to the law suggest themselves to me. Perhaps, however, some errors may have been discovered which will require amendments; if so, you will take the necessary steps to remedy them. Frequent changes of the important laws of the State are not desirable, but bad laws should be forthwith changed or repealed. Where changes are numerous and frequent, it sometimes becomes difficult for the most skilled jurists to determine exactly what the law is. The Legislature has provided, in order to enable our laws to be perfected, that it is the duty of the judges of the Circuit Court, the judge of the Court of Appeals and the judges of the Supreme Court, to make note of and report to the General Assembly all such omissions, uncertainties and incongruities in the statutory laws of this State as may come to their attention and which may be remediable by legislation. From this source, if there be any glaring or great defect in our laws, you will, no doubt, be apprised thereof early in the session.

## SUPREME COURT.

The Supreme Court is burdened with business and must have relief. It is very gravely questioned whether adequate relief can be given to the court without an amendment of the Constitution. One proposition looks to an increase, permanently, of the number of judges; the other that those judges may be appointed for a limited time, and until the court shall catch up with its business, to be called commissioners, and if another like exigency shall occur, to again appoint three judges for a limited time. The last



mentioned proposition has received the commendation of a convention of the members of the bar of this State. As this commission is to sit in conjunction with the Supreme Court, and to have transferred to it for adjudication such causes as the Supreme Court may deem proper, and as the object is to obtain the ablest jurists, I suggest that the Supreme Court shall nominate (and no nomination shall be valid unless made by four Judges of the Supreme Court) the persons to be members of the commission, to the Governor, and that he shall commission them. But it seems to me the same advantages can be obtained by the permanent addition to the Supreme Court of two additional judges; and by the time relief shall be given the business of the court will require the additional judges; that the Supreme Court shall, from time to time, be organized in two divisions, composed of three judges each, the Chief Justice to designate the members of said division, and in case of emergency, sickness or inability of any member to act, he shall assign himself to one of the divisions, so as to bear his due proportion of labor. The court shall sit in banc whenever the constitutionality of a law shall be drawn in question; and in other cases of great importance, which may be defined in the proposition, a full court shall be held. By this means there will be, as with the commission, two tribunals in session at the same place and the same time, each organized to properly discharge its duties. But, while I prefer this method, thus briefly and perhaps not distinctly described, the necessity for relief is so great that if one measure cannot succeed, another should be adopted.

#### SETTLEMENT WITH AUDITOR AND TREASURER.

A committee was appointed by me, in 1878, in the manner required by law, to make settlement with the Auditor and Treasurer, and report the result of their examination to the Legislature for action. The committee performed its duty. Their report was made to the Legislature, but the Legislature failed to approve it, either in whole or in part, and utterly failed to take definite action upon it.



Therefore, no settlement has been made with the Auditor and Treasurer for the two years ending on the 31st of December, 1878. The committee appointed by me in December last to make settlement with the Auditor and Treasurer, can have no authority from me to make settlement for the years 1877-78. The law provides: "The inquiries of the committee shall be limited to the two years next preceding the meeting of the General Assembly." I recommend proper measures be taken to make settlement with the Auditor and Treasurer for the two years ending on 31st of December, 1878.

#### THE PENITENTIARY.

For years prior to the commencement of my term of service as Governor, the management and conduct of the Penitentiary had been attended with great expense, and largely in excess of its earnings. For a long time past, and at the present time, the salaries of the Warden, officers and guards have been and are paid from the appropriation for the pay of civil officers. The words "support and maintenance" of the Penitentiary, as used in the appropriation act, include all expenses at the prison, except salaries and cost of erecting new buildings and other permanent improvements. In this prison some persons are confined who have been convicted in the United States courts. But of prisoners convicted in the courts of this State, there has been a gradual diminution. The following table shows the number of prisoners convicted in the courts of this State, and in United States courts, confined in the Penitentiary on the 31st day of December, for the years named:

Years.	State.	United States.	Total.
1874.....	1,013	56	1,069
1875.....	1,257	21	1,278
1876.....	1,332	14	1,346
1877.....	1,276	23	1,299
1878.....	1,244	50	1,294
1879.....	1,238	35	1,272
1880.....	1,188	30	1,218



The cost of maintaining the prison for the several years herein named, ending on the 31st of December in each year, is as follows:

1872.....	\$150,033.18
1873.....	155,105.61
1874.....	In charge of Lessees
1875.....	104,625.90
1876.....	126,199.62
1877.....	96,010.01
1878.....	51,951.52

The exhibit for the two years, 1877-78, is not as favorable as it ought to be. A large amount of labor was bestowed on the court-house for the Supreme Court, and other labor for the State, for which no compensation was allowed. The earnings of the prisoners were expended for their support and maintenance during all the years above named. The proceeds of prison labor are as follows for the years mentioned:

1876.....	\$31,222.90
1877.....	71,871.41
1878.....	92,279.98

A portion of the earnings for the years 1877-78 were expended in buying horses, mules and implements of industry, and other materials for the use of the prison. The business of the Penitentiary for the last two years shows an excess of earnings over the cost of maintenance, of \$32,901.90. During that time the earnings were:

1879.....	\$108,160.28
1880.....	103,456.75

Total.....	\$211,617.03
The cost of maintaining the Penitentiary was as follows:	
1879.....	\$89,315.86
1880.....	89,399.27

Total.....	\$178,715.13
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Of this balance of \$32,901.90, \$20,000 has been paid into the Treasury, \$1,578.46 is in the hands of the Warden and \$11,323.44 is in material bought by the Warden for



the use of the prison, and now on hand. In addition thereto, there is a larger amount of property and material on hand at this time than there was two years ago, which has been purchased from the earnings of the prison. Much labor has been performed for the State in preparing the site and erecting a workshop thereon, and in the manufacture of brick, of which there is a large amount on hand. From the results produced in the last four years, I have no doubt the able Warden and his faithful assistants can make the prison self-sustaining, including the salaries to be paid the Warden, the officers and guards.

#### SCHOOL OF MINES.

In January, 1875, the Board of Curators of the State University, not satisfied with the site previously selected for the School of Mines and Metallurgy, bargained with the Board of Education, at Rolla, for their school building and the tract of land on which it was situated. Prior to that date, the School of Mines had been located at Rolla, but, to obtain such location, the county of Phelps, amongst other things, had subscribed \$75,000 in county bonds for the benefit of said school. The county loaned its credit in flagrant violation of the Constitution of the State. That instrument provided no county should lend its credit unless two-thirds of the qualified voters of such county, at a regular or special election, shall assent thereto. The judges of the county court of that county made the subscription without having the assent of the qualified voters of the county, and the Supreme Court, in 1874, held the bonds issued by said county were void. The school building was bought at the price of \$25,000, \$5,000 of which was paid at or about the time of the bargain, and a credit was given the State for the residue of the purchase money. The Board of Education of the city of Rolla made its deed to the State for the public school building and the land connected therewith. The Curators of the State University executed a deed to a trustee for the land sold to the State by the Board of Education, to secure the payment of five several promissory notes, each



for the sum of \$4,000, given to the said Board of Education, by the Curators, in their official capacity, payable respectively on the 27th days of January, 1876, 1877, 1878, 1879 and 1880, with interest thereon, at the rate of six per cent. per annum. This deed purported to confer on the trustee, in default of the payment of the said several promissory notes, or any of them, authority to sell said real estate at public vendue, at the court house door in the city of Rolla, for cash, by giving sixty days public notice of the time and place of said sale, and to convey to the purchaser thereof the title to said property. In 1872 the Legislature directed there should be issued and delivered to the treasurer of the School of Mines and Metallurgy at Rolla, by the Governor, 35 State bonds, each for \$1,000, with interest coupons at the rate of 6 per cent. per annum. payable semi-annually, and having 20 years to run. Those bonds were delivered to the treasurer of the School of Mines. The proceeds of said bonds were directed to be applied toward the erection and equipment of a suitable building for the School of Mines and Metallurgy, under the direction of the Board of Curators. It appears that, prior to the execution of the deed herein named, a contract in writing was made by committees representing the said Board of Education and the Board of Curators of the University. That contract was ratified and approved by the respective boards, and in pursuance thereof the deeds were made and executed. In the contract thus approved it was stipulated the Board of Curators might take up the notes, agreed to be given by the Curators, at any time before the maturity thereof, on the payment of the principal and the interest due, either in cash or in the bonds of the Board of Education of the city of Rolla, at their par value, or in both cash and bonds. The Board of Education had issued \$35,000 in bonds, with the proceeds of which the school building, sold as stated, was erected. Some payments have been made by the Curators on the notes given by them to the Board of Education, but I am unable to state the precise amounts or dates of payments; and none of the notes or bonds given by the Board



of Education have been paid by the Curators. The deed of trust of the Curators conveys no title, as that board of officers had no authority to make such a conveyance; no authority to mortgage or encumber the building which had been conveyed to the State. It is alleged the Curators have expended all the money arising from the sale of said bonds, and the interest which accrued before sale, (no inconsiderable sum), towards the erection and equipment of a suitable building for said School of Mines, and have not yet paid for the building. The Board of Education of Rolla desire to receive the money promised to be paid them for their school building. Conceding the proceeds of the State bonds have in part been misapplied, the State has no adequate remedy. Under these circumstances, I advise the amount due to the Board of Education of Rolla be ascertained, appropriated and paid to the proper party, and the notes be canceled and filed in the office of the State Auditor.

#### REPAIRS OF THE CAPITOL.

The last Legislature appropriated the sum of \$12,000 for repairs of the State Capitol. This money has been expended in making new ceilings for one hall and repairing the ceiling of the other, repairing the roof, the walls and the rooms in the basement, and giving to the building suitable and proper drainage, repairing the porch, the steps to the same, and the walk thereto. In addition to this, new window sash and glass have replaced the old, and much labor has been bestowed on the cupola. In my opinion this work has been judiciously and economically performed by Mr. Fred. Binder, who was appointed by those having charge of the expenditure of the money to superintend the work. Several rooms in the basement have been repaired in such manner that there is a stratum of air between the walls and the plastering. This prevents moisture from accumulating and standing upon the walls, as it does in other rooms of the building, where the plastering has been placed directly upon the walls. These rooms are dry, healthy and easy of access, and will make convenient com-



mittee rooms for the Legislature, and if they shall be used as such, the contingent expenses of the Legislature will be thereby reduced.

#### WAR CLAIMS.

The United States re-imbursed this State for expenses it had incurred and paid in the suppression of the rebellion, to the 17th day of April, 1866. But at that date there were laws authorizing further payments to those who performed military services during the war; and to enable the State government to discharge its liability to them, and for supplies, etc., furnished, money was appropriated and paid by the State. The State, after the date mentioned, did pay to its militia the sum of \$319,876.11 for services rendered in suppressing the rebellion, as appears by the vouchers in the office of the State Auditor. An act of Congress was approved in January, 1879, directing the Secretary of the Treasury to investigate, consider and examine the evidence, vouchers and records relating to said payments, on file in his department and which might be filed by the State, and to report to Congress the amount which shall appear to be justly due this State. I directed Adjutant-General Mitchell to examine the records of his own office, and, with the State Auditor and Treasurer, the records of their respective offices and have copies of all vouchers he deemed necessary to support our claim, prepared and duly certified, to be used in support of the demand of the State, and to proceed with them to Washington and endeavor to have a hearing and settlement of this claim. The Auditor entrusted to him the original vouchers in his office, to be carried to Washington in order that the accounting officers of the Treasury might examine and compare them with the certified copies, if it should be desired. The department claimed the original vouchers ought to be filed in support of the claim, but Gen. Mitchell was instructed to refuse a compliance with this request, for the reason the original papers entrusted to him were records of the public offices of this State, and whilst the custodian of them might produce them for examination, he had no authority to so place them



that their possession could not be regained at any moment by the proper officer. Those papers are a part of the public records, and can only be withdrawn from their custodian by law. Gen. Mitchell discharged his duty in this regard as far as it could be performed, and on his return he made a report to me of his action in the premises. To avoid any further delay in the adjustment of our claim I advise provision be made to deliver the original vouchers to the Treasury department, provided the certified copies of them be returned to replace the originals.

#### MILITIA.

There are now 35 companies of militia duly organized and properly armed. Of these, 3 companies of infantry are of colored persons—2 in St. Louis and one in Kansas City. There is one company of cavalry and one battery, both in the City of St. Louis. The remaining 30 companies of infantry are organized in different portions of the State. All the troops are well drilled, and in a good state of discipline, and will compare favorably with the militia of any other State. I had hoped to be able to inform you that the Police Reserves had entered the militia service and been duly organized as a part of that force. The Police Reserves occupy an anomalous position. Organized as a military force, and armed by the State, no one holds a commission as an officer thereof, and no officer of that force—whatever his rank—can command the lowest officer or any member of the militia. The zeal and public spirit manifested by the officers and men of the militia is highly commendable, and entitles them and their requests to a partial hearing by you. Two battalions are organized in the City of St. Louis and two in the City of St. Joseph, and the total of the rank and file numbers 1,930 men.

#### FISH CULTURE.

Provision was made in 1877 for the establishment of a commission whose duty it was to act in conjunction with the commissioner of the United States in stocking the



waters of this State with such fishes as they may consider best adapted to furnish cheap and nutritious food. A small sum of money was appropriated for this purpose. The last Legislature provided for three commissioners to discharge this duty. All the commissioners serve without compensation, and they were authorized to buy or lease a suitable location and erect a hatching house thereon. Three thousand dollars per annum were appropriated for this purpose, and to defray other expenses to be incurred by the commissioners in the discharge of their duties. In my opinion, the money has been judiciously expended. A hatchery has been established and properly prepared, from which fish will be taken and placed in the streams of water in this State. A report from the commissioners, it is expected, will soon be placed before you.

#### LUNATIC ASYLUM AT ST. JOSEPH.

During the session of the last Legislature, the Lunatic Asylum at St. Joseph was destroyed by fire. Temporary provision was made for the support of the patients, and the county of Buchanan, with commendable generosity, set apart a portion of its large and commodious court house to be occupied by the patients. The building thus destroyed, with its site, furniture and equipment, had cost the State more than \$300,000. The sum of \$75,000 only was appropriated by the Legislature for rebuilding the asylum on the site of the one destroyed, and for refurnishing it. The damaged material from the burned building, which could be used, was used in the rebuilding, and the residue was disposed of, realizing about \$2,000 from the sale. The law required me to appoint three commissioners to carry its provisions into effect. I appointed Dr. Geo. C. Catlett and Messrs. A. Kirkpatrick and A. C. Dawes, as such commissioners, whose services were rendered without compensation, and their duties were faithfully and efficiently performed. Their estimate of the work and payment therefor were submitted to me and received my approval. There are rooms in the fourth story of the building not yet com-



pleted. The former building was intended to accommodate only two hundred patients, while the new asylum will accommodate three hundred patients. One of the commissioners makes the following brief statement: "This building is greatly superior to the former one in affording one-third more accommodation as well as a more comfortable home for the insane. It is well protected against the dangers of fire, and has ample ways of ingress and egress. The improved reconstruction has greatly diminished the difficulties of management."

#### NATIONAL BANK OF COMMERCE.

When I entered on the discharge of my official duties, I found the National Bank of Commerce, in the City of New York, had been previously selected and then was the agent of the State for the payment, of the interest on the bonded debt of the State, payable in said city. The compensation formerly paid to this bank for the redemption of the interest coupons was one-fourth of one per cent. By an act of the Legislature, approved March 10, 1872, it was provided the commission to be allowed for these services should not exceed one-tenth of one per cent. From the date aforesaid to the present time that bank has paid the interest coupons, payable in New York, and redeemed bonds of this State as they have been called in, with the money of the State deposited with it for that purpose. For several years past, money has not been appropriated to pay said bank for its services, and its account against the State since 1872 remains unadjusted and unpaid. I recommend provision be made to pay the bank for the services it has rendered the State. The last Legislature was informed of the condition of this demand by the Fund Commissioners, but failed to make any provision for its payment.

#### BOARD OF HEALTH.

The Government of the United States has established a National Board of Health, and some of the States have established Boards of Health to co-operate with it. The



object of such organizations is to obtain the active co-operation of the medical profession in making sanitary investigations and inquiries respecting the causes of disease, and especially epidemics, the causes of mortality, and the influences of locality, employment, habits and other circumstances and conditions, upon the health of the people. No member of the State Board of Health should receive compensation from the State for his services, except the secretary, who should receive a reasonable salary, and a small additional sum will be required for stationery, printing, etc. I hope such an organization will be authorized, and the proper sum appropriated for its support.

#### CONCLUSION.

And now, as I am about to return to private life, I can say that during my official career, in whatever position I may have served, I have endeavored faithfully to discharge the duties which devolved on me, and have sought to promote the prosperity and welfare of the people of this great commonwealth. My administration of the laws of this State is a part of its history. It is spread out before the people for their observation, and to their judgment I cheerfully submit the record I have made.

JOHN S. PHELPS.

Executive Office, Jefferson City, Mo., Jan., 1881.



VETO MESSAGES

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## TO THE HOUSE OF REPRESENTATIVES

MARCH 30, 1877

*From the Journal of the House of Representatives, pp. 689-691*

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I return to the House of Representatives, in which it originated, without my approval, a bill entitled "An act supplementary to an act entitled an act to repeal an act entitled an act to more fully provide for the organization of counties into municipal townships, and to further provide for the local government thereof, and repealing all former acts relating thereto, approved March 24, 1873, and also to repeal all acts amendatory of said act," approved March 5, 1877.

By the first section of the bill, the term of office of county and township officers is extended in those counties which have adopted township organization.

This law was enacted in 1873—justices of the peace and the assessor of the township compose the township board of directors; justices of the peace and constables hold their offices for two years, and the other township officers for one year, and judges of the county court for four years.

Justices of the peace and two judges of the county court are to be elected this year, one from the county at large and the other from a district. If there shall be vacancies in township offices, the township board of directors is empowered to fill those vacancies.

Such, in brief, is the law relating to the election and tenure of township offices and judges of the county courts in counties which have adopted township organization, and as a general rule all officers hold office not only during their official terms, but also till their successors shall be duly elected and qualified.



But the Constitution provides, section 8, article 14, "nor shall the term of any office be extended for a longer period than that for which such officer was elected or appointed."

The evil sought to be avoided by the framers of our Constitution was to prevent the enactment of laws by which the term of office of any incumbent should be extended beyond the period for which said officer had been elected or appointed. In the absence of the provision of the Constitution cited, or of a similar provision, terms of office might have been extended by the Legislature in two methods:

First—By enacting the term of office shall be extended for the time named in the law.

Second—By repealing the law providing for the election of his successor, but not abolishing the office.

Each method would be equally efficient to prolong the term of service of the incumbent, and each method would extend the term beyond the period for which the incumbent had been elected or appointed.

Prosecuting attorneys are biennially elected, the term of service being for two years and until their successors shall be elected and qualified. Suppose a bill should be passed providing no prosecuting attorney shall be elected at the general election in 1878, provided nothing in said act shall be so construed as to prevent those now in office from holding their offices, would not the term of service of prosecuting attorneys be extended for a longer period than that for which such officer was elected? And would not such legislation be in violation of the Constitution?

But one answer can be made in the case supposed: Such legislation would be unconstitutional, and does it matter whether the term of office is prolonged by the Legislature a few weeks or for two years? Does the period of time it is proposed to extend the official term determine its constitutionality? Any extension of the term of office is prohibited by the Constitution.



The first section of the bill under consideration provides "No election shall be held in any township in any county in this State under township organization on the first Tuesday in April, 1877, for township officers, nor for members of the county court: *Provided*, That nothing in this act shall be so construed as to prevent township officers now in office from holding their offices until the act to which this act is supplementary shall go into effect."

The act of March 5, 1877, provides all laws for the organization of counties into municipal townships, and to further provide for the local government thereof, are repealed. But this act will not go into effect until the period fixed by the Constitution, viz.: ninety days after the adjournment of the Legislature. Then the term of office of some township and county officers will be extended, if the bill under consideration shall become a law, or ninety days after the adjournment of the Legislature.

The extension of the term of office will be accomplished by the repeal of the law providing for the election of officers, and if such repeal of the law providing for the election of officers, and thereby extending the term of service of officers is constitutional, then the term of service of every officer in the State may be prolonged and extended, simply by a repeal of the law providing for the election of their successors.

I cannot approve of the bill, because it is proposed to extend the term of office of many officers for a longer period than that for which such officers were elected, and therefore it will violate the Constitution, hence I return the bill to you with my objections to the same.

Very respectfully,

JOHN S. PHELPS.

Executive Mansion, March 30, 1877.



## TO THE HOUSE OF REPRESENTATIVES

APRIL 4, 1877

*From the Journal of the House of Representatives, pp. 753-754*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 4, 1877.

*Representatives:*

A bill has been presented to me for my approval, which originated in the House of Representatives, and is entitled "An act to amend section 82, chapter 34 of the General Statutes of Missouri."

The title of this law is "Of counties and county boundaries," and by it the names of the counties are given and their boundaries defined.

The bill under consideration is as follows:

"Section 1. That section 82 of chapter 34 of the General Statutes of Missouri be and the same is hereby amended so as to read as follows: Section 82. Beginning at the northwest corner of section one (1), township twenty-three of range twenty-nine; thence south with the subdivisional line to the south boundary line of the State; thence west with the State line between townships twenty-three and twenty-four; thence east with township line between townships twenty-three and twenty-four to the place of beginning: *Provided*, That McDonald county shall have no claims against the county of Barry for taxes heretofore collected on any personal property or real estate, or any of the land that may now become in McDonald county under the provisions of this act."

Section 82 is as follows: "Section 82. McDonald—Beginning on the west boundary line of the county of Barry, as defined by an act approved February 24, 1849, entitled 'An act to define the western boundary line of Barry county,' at a point on said line between townships twenty-three and twenty-four of range number twenty-nine west; thence



west along said township line to the western boundary line of the State; thence south with said boundary line to the south-west corner of the State; thence east to the State line between the States of Missouri and Arkansas, to the south-west corner of Barry county, where the line as defined by the act aforesaid, intersects the southern boundary line of the State; thence north on the said western boundary line of Barry county to the place of beginning."

In the law the name of the county is given.

In the section it is proposed to amend, in the bill under consideration, the name of the county is omitted.

The bill under consideration is local, and strikes off a part of Barry county and adds it to the county of McDonald.

The Constitution, section 54, article 4, provides: "No local or special law shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, etc." And "the evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed, and the notice shall be recited in the act according to its tenor."

This Legislature has prescribed how notices of intention to apply for local and special laws shall be published, but the Legislature has not recited in this act the notice according to its tenor, as is required.

The bill under consideration strikes off a part of the county of Barry, and adds the same to the county of McDonald, which adjoins the first named county.

But section 4 of article 9 of the Constitution provides: "No part of the territory of any county shall be stricken off and added to an adjoining county without submitting the question to the qualified voters of the counties immediately interested, nor unless a majority of all the qualified voters of the counties thus affected, voting on the question, shall vote therefor."



No election has been held in accordance with the provision of the Constitution in either of the counties of Barry and McDonald, for there is no law authorizing such election.

Because no notice has been given of the intention to apply for the passage of the law under consideration, and because the question of striking off a portion of the county of Barry and adding it to the county of McDonald, has not been submitted to the qualified voters of the counties immediately interested, and received a majority of the votes therefor, I withhold my approval of said bill, and return the same to you for further consideration.

Very respectfully,

JOHN S. PHELPS.

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### TO THE SENATE

APRIL 4, 1877

*From the Journal of the Senate, pp. 354-355*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
MISSOURI, April 4, 1877.

#### *Senators:*

I return to you, without my approval, a resolution entitled Joint and concurrent resolution in regard to canceling vouchers and receipts in the Auditor's office, and destroying wolf-scalp certificates and Auditor's warrants in Treasurer's office.

This resolution provides: "That the committee appointed by the Governor to settle with the State Auditor and State Treasurer be instructed to have canceled under their immediate supervision all vouchers and receipts in the Auditor's office which they have examined and passed on, and to destroy all Auditor's warrants and wolf-scalp certificates found paid and examined and passed upon by said committee; and also, to destroy the old Auditor's warrants that have failed to be destroyed, as provided by law, together with other worthless papers that have accumulated



in the office of the State Treasurer, as shown by said committee in their report."

The general law provides (2d Wagner's Statutes, p. 1340, sec. 54) that if the settlement made by the committee with the Auditor and Treasurer shall be approved by the Legislature, proper entries of the settlement shall be made, certain vouchers shall be canceled, and that the warrants on the Treasury for which the committee in the settlement have given credit to the Treasurer, shall be burned. The general law does not authorize the destruction of wolf-scalp certificates, nor can they be lawfully destroyed unless a proper law for that purpose shall be enacted.

If the settlement made by the committee has been approved by the Legislature, the cancellation of the vouchers and burning of the warrants will take place by virtue of the provisions of the law above cited; but the wolf-scalp certificates have been redeemed by the late Treasurer with cash, received by the present Treasurer as cash, and the Treasurer is entitled to a credit for the same. The late Treasurer in his report, page 8, states: "The cash balance in the Treasury is composed of the following items, and amongst those items is the sum of \$4,484.50 in wolf-scalp certificates. These certificates should be destroyed, and the Treasurer receive a credit therefor. But the general law does not authorize their destruction, and hence until the Legislature shall direct their destruction, they must be preserved. But the Legislature has, by the resolution which I return to you, declared its desire for their destruction, and that the Treasurer shall receive a proper credit therefor. But can the Legislature, by a joint or concurrent resolution, authorize this to be done? I concur with the Legislature in the opinion these certificates ought to be destroyed, and the Treasurer should receive a credit therefor. But I differ in opinion with the Legislature in the manner this authority shall be given.

The Legislature has declared it shall be done by a resolution, declaring: "Be it resolved by the Senate, the House of Representatives concurring therein," whilst I



believe this authority shall be given by a bill, conforming to the Constitution, which declares: "The style of the laws of this State shall be: 'Be it enacted by the General Assembly of the State of Missouri as follows:' "

In other words, the Executive is of opinion this authority cannot be given by a joint or concurrent resolution, but must be given by a law, with the proper enacting clause, and he is further confirmed in this opinion by the provision of the 14th section, article 5 of the Constitution. This section provides: "Every resolution, to which the concurrence of the Senate and House of Representatives may be necessary, except on questions of adjournment, of going into joint session, and of amending this Constitution, shall be presented to the Governor, and before the same shall take effect shall be proceeded upon in the same manner as in the case of a bill: *Provided*, That no resolution shall have the effect to repeal, extend, alter or amend any law," and because the resolution under consideration is in conflict with said proviso, and does extend and alter the laws of this State, I am compelled to withhold my approval of the same.

Very respectfully,

JOHN S. PHELPS.

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### TO THE SENATE

APRIL 5, 1877

*From the Journal of the Senate, p. 367*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 5, 1877.

#### *Senators:*

I return to the Senate, in which it originated, An act concerning notaries public, without my signature.

This bill provides for the appointment of notaries public, and prescribes their term of office and duties. Notaries public are appointed for counties; their duties are to be performed within the county for which they are



appointed; they are county officers, and the term of office must be prescribed by law. The 14th section, 9th article of the Constitution provides: the term of county, township and municipal officers shall not exceed four years, unless otherwise directed by our Constitution. The term of notaries is not otherwise fixed by the Constitution, and, hence, cannot exceed four years. This bill fixes the term of office of notaries public at six years, and is therefore in conflict with our Constitution. Hence I disapprove of the bill

Very respectfully,

JOHN S. PHELPS.

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TO THE HOUSE OF REPRESENTATIVES

APRIL 6, 1877

*From the Journal of the House of Representatives, pp. 785-787*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 6, 1877.

*Representatives:*

The bill entitled "An act to appropriate money," which originated in the House of Representatives, has been presented to me for my approval.

The 6th section of this bill appropriates money for the support of the eleemosynary and educational institutions of the State for the years 1877 and 1878. I object to the following described portion of the 6th section of the bill, viz: "Third. For the support of the St. Louis County Insane Asylum, seventy thousand dollars (\$70,000)," and I approve the residue of this bill.

The 46th section, 4th article of the Constitution, reads as follows:

"The General Assembly shall have no power to make any grant, or to authorize the making of any grant of public money or thing of value to any individual, association of individuals, municipal or other corporations whatsoever

\* \* \*."



Grants of public money or things of value are prohibited from being made to individuals, association of individuals, to municipal corporations, or to any other corporation whatsoever. And this prohibition of power to the Legislature is expressed in as strong, imperative and unambiguous language as can well be used.

This grant of money is made for the support of the St. Louis County Insane Asylum. But there is no corporation of that name, nor is there any such asylum now owned by the county of St. Louis. The county of St. Louis had authority for that purpose, and did establish a lunatic asylum—see Session Acts, 1867, p. 105, and Session Acts, 1870, p. 452.

And by an act entitled “An act to provide for and maintain the St. Louis County Insane Asylum,” approved in 1872, it is declared the county of St. Louis has erected an insane asylum, etc., and for its further support, the advancement of its interests, and the humane objects contemplated by its establishment, the sum of \$15,000 annually was appropriated by the Legislature, payable semi-annually, on the requisition of the county court of said county, and the warrant on the treasury was to be drawn in favor of said county court, and by an act passed in 1875, instead of the above named sum of money, the sum of \$25,000 annually was donated, to be paid from the State treasury semi-annually, on a warrant drawn in favor of the county court of said county. These acts of the Legislature are referred to show that at that time the Insane Asylum in the county of St. Louis was the property of the county of St. Louis, and that the moneys appropriated for its support by the State were appropriated for the benefit of and payable to the county of St. Louis.

These appropriations were made whilst a former Constitution of our State was in force, and which did not prohibit the Legislature from granting money to counties for such purposes. There is no law by which the State has any control over that beneficent institution. It was controlled and governed, and its officers were appointed by



the county court of St. Louis county. It was not a State institution; patients from other counties than St. Louis were not permitted to share in its benefits and blessings. This asylum was clearly and exclusively a county and not a State asylum. Suppose this portion of the appropriation bill to which I object, shall become a law, to whom will the moneys named be payable? In whose favor will a warrant be issued? who can receipt for the same? The warrant would be drawn in favor of St. Louis county, and the agents of St. Louis county would receipt for the same; in other words, the money is payable to the county of St. Louis, and to no one else, and the appropriation of this \$70,000 is a grant of the money to the treasury or grant of public money to the county of St. Louis, a municipal corporation of the State.

But there is another view to be taken of this proposed appropriation. The county of St. Louis has not an Insane Asylum. It did have such an institution, but when the scheme, by which the city was separated from the county of St. Louis was adopted, the Insane Asylum of St. Louis county was "transferred and made over to the city of St. Louis." (See section 10 of scheme.) Hence there is no such institution as that described in the appropriation bill, to receive the grant or donation of money.

I admit the appropriation is intended for a humane and worthy object, one which strongly appeals to our sympathy and philanthropy. But we appropriate already \$140,525 for the support of the two Lunatic Asylums, and the sum of \$276,150 for the support of the eleemosynary institutions of the State, and estimating one-fourth of the State revenue at \$365,000 per annum, we appropriate the sum of \$833,000 for educational purposes, making for educational and charitable purposes the sum of \$109,150 for the two years, whilst the total appropriation, payable out of the revenue fund, including the appropriation under consideration, is the sum of \$2,658,453, and if we deduct from this sum the \$70,000, it will leave the sum of \$2,588,453 as the total amount payable out of the revenue fund. Thus we devote



nearly four-ninths of the revenue fund of our State to education and eleemosynary objects.

But this is not a question of sympathy or humanity, it is a question of power. Has the Legislature the authority, under the Constitution, to make this appropriation? The thing proposed to be done is to make a grant of public money to a municipal corporation, and because the General Assembly is prohibited from making such a grant to any individual or municipal corporation, I object to the appropriation which I have indicated, and I have appended to said bill, at the time I signed the same, the following statement: "I object to the following described portion of the sixth section of this bill, viz: '*Third*—For the support of the St. Louis county Insane Asylum seventy thousand dollars, \$70,000. "I approve the residue of this bill."

Very respectfully,

JOHN S. PHELPS.

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## TO THE HOUSE OF REPRESENTATIVES

APRIL 21, 1877

*From the Journal of the House of Representatives, pp. 992-993*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 21, 1877.

### *Representatives:*

I have carefully considered a bill which originated in the House of Representatives, entitled "An act to repeal an act entitled an act amendatory of an act entitled an act to incorporate the town of New Haven, in the county of Franklin, approved March 20, 1861," and return the same to you without my approval.

The bill under consideration is local and special; the title as well as the text of the bill shows it as a bill to change the charter of an incorporated town. The Constitution, article 4, section 53 provides, "The General Assembly shall not pass any local or special law \*\*\*\* incorporating cities, towns or villages, or changing their charters."



If the Legislature can change the charter of one municipal corporation in any particular, it may change the charter of all municipal corporations by special laws and in many particulars. The Constitution, article 9, section 7, declares: "The General Assembly shall provide, by general laws, for the organization and classification of cities and towns. The number of such classes shall not exceed four, and the power of each class shall be defined by general laws, so that all such municipal corporations of the same class shall possess the same powers, and be subject to the same restrictions. The General Assembly shall also make provisions by general law, whereby any city, town or village, existing by virtue of any special or local law, may elect to become subject to and be governed by the general laws relating to such corporations."

The Constitution provides there shall be four classes of municipal corporations, and permits the inhabitants of each to remain under its present and existing charter, without any change, or they may elect to be subject to and be governed by the general law relating to such corporations. Because the bill proposes to change the charter of the town of New Haven, in violation of the provisions of the Constitution, I withhold my assent from the bill.

Very respectfully,

JOHN S. PHELPS.

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## TO THE HOUSE OF REPRESENTATIVES

APRIL 21, 1877

*From the Journal of the House of Representatives, p. 994*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 21, 1877.

### *Representatives:*

I return to the House in which it originated a bill, entitled "An act to repeal a part of sections 2 and all of section 17 of an act entitled an act to establish the Watson Seminary, approved January 25, 1847," without my approval.



The act of 1847 referred to is a charter of incorporation for the maintenance and government of a school by the corporate name of the "Watson Seminary," in the county of Pike. The bill proposes to amend the act of incorporation by repealing one section and part of another section of said act.

This is clearly in violation of the provision of the Constitution. Article 4, section 53, provides: "The General Assembly shall not pass any local or special law \* \* \* creating corporations, or *amending*, renewing, extending or explaining the charter thereof."

The object of this bill appears to be to repeal that part of said charter which provides that fines, penalties and forfeitures accruing to the county of Pike shall be applied to the increase of permanent fund of said seminary. It appears to me that provision of said charter is abrogated by the provisions of the 8th section of 11th article of the Constitution, which provides the clear proceeds of all penalties, forfeitures and fines collected in the several counties shall be securely invested and sacredly preserved in the several counties as a county public school fund.

But whether this opinion be correct or not, as the bill conflicts and is in violation of the Constitution, I cannot approve of the bill.

JOHN S. PHELPS.

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### TO THE HOUSE OF REPRESENTATIVES

APRIL 27, 1877

*From the Journal of the House of Representatives, pp. 1109-1110*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 27, 1877.

*Representatives:*

I return to the House in which it originated a bill entitled "An act to amend chapter 63 of the General Statutes of 1865, by adding three sections thereto, providing a penalty for violating the provisions of section 15, article 12 of the Constitution."



The second section of this bill, called section 52, is as follows: "Any transfer of stock in any such corporation, made outside of this State since the adoption of the present Constitution, shall be held invalid, and shall not authorize the holder thereof to vote thereon, if called in question by any party interested, until such transfer is actually made upon the books of the company in this State, and such transfer shall be made at least thirty days before the person claiming to hold the same shall be permitted to vote thereon at any meeting of the stockholders of the corporation, and any stockholder offering to vote such stock, or any part thereof, at any election held by such corporation for directors or other officers, in violation of this section, shall forfeit the right to vote the same at any election of officers of such corporation for the space of two years."

This section declares transfers of stock in any railroad company doing business in this State, which have been made elsewhere than in this State, since the *adoption* of our Constitution, shall be held *invalid*—that is, *void*. The Constitution of this State was adopted on the 30th day of October, 1875. In the Schedule to the Constitution it is declared: "This Constitution shall be submitted to the people of this State for *adoption* or rejection at an election to be held for that purpose only on Saturday, the 30th day of October, 1875." The Constitution became the Supreme law of this State on the 30th day of November, 1875.

By this section of the bill under consideration it is declared all transfers of stock in any railroad company doing business in this State, whether specially incorporated by the Legislature of this State or organized under the general incorporation law of this State, or incorporated under and by the laws of any other State, shall be held invalid—void—if made at any time since the 30th day of October, 1875, unless such transfers of stock were made in this State; and it is specially provided in this bill that the holder of such stock shall not vote such stock if called in question by any party, unless such transfer shall have been made on the books of the company in this State at least



thirty days before he shall offer to vote such stock at any meeting of the stockholders. And it is further provided in this section that if any stockholder shall offer to vote such stock (that is, stock transferred outside of this State since 30th October, 1875), he shall forfeit the right to vote such stock for the space of two years at any election of officers of such corporation.

The Constitution of the United States provides no State shall pass any law impairing the obligation of contracts.

The 15th section of the bill of rights of our Constitution is as follows:

“That no *ex post facto* law or law impairing the obligation of contracts or retrospective in its operation \* \* \* \* can be passed by the General Assembly.”

This bill is in conflict with both the Constitution of the United States and of this State in this: that it impairs the obligation of contracts by declaring contracts which were valid when they were made shall be held *invalid*.

No one will assert there was any semblance of law in force from the 30th day of October to the 30th day of November, 1875, which required transfers of stocks in the railroads doing business in this State to be made in this State.

Transfers of stock in the railroads doing business in this State are valid if made in accordance with the by-laws and regulations of their respective companies, whether made in this or any other State, and yet this bill declares all such transfers of stock made in accordance with law shall be held invalid if made elsewhere than in this State. The bill is retrospective in its operation, for if it shall become a law it will impair the rights of the holders of stock in roads doing business in this State, if the transfers of stock were made outside of this State and in accordance with all laws in force at the time such transfers were made.

For the reasons thus briefly given, I refuse to approve said bill.

JOHN S. PHELPS.



VETO RECORDED WITH THE SECRETARY OF  
STATE

MAY 12, 1877

*From the Journal of the Senate, pp. 615-616*

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*Hon. M. K. McGrath, Secretary of State:*

Sir—I return to you a bill entitled “An act directing the State Board of Equalization to assess, adjust and equalize the railroad property in the State of Missouri, for the years 1876 and 1877,” which was presented to me within the ten days prior to the adjournment of the General Assembly, without my approval. The bill proceeds upon the idea that it was the duty of the State Board of Equalization at its session in 1876 to assess, adjust and equalize the railroad property in the State liable for taxation for the year 1876, and the State Board of Equalization neglected and failed to discharge its duty; and the bill seems specially to require the State Board of Equalization shall, at its regular session in 1877, assess the railroad property in this State liable to taxation for 1876.

“The preamble of an act is the recital by way of introduction or inducement to the enacting part, of the reasons on which the enactment is founded. The preamble of a public statute recites the inconveniences which it proposes to remedy \* \* \* or the advantages it proposes to effect.” Now, the preamble to this bill declares, “whereas the State Board of Equalization did not at its annual meeting in the year 1876, assess, adjust and equalize the railroad property in the State liable to taxation for the year 1876; and, whereas, the railroad companies have not paid any tax for said year, therefore.” The preamble is true; the State Board of Equalization did not, at its meeting in 1876 assess, adjust and equalize the railroad property in this State for the year 1876, and it did not do so because the law did not require it to be done, and if the Board of Equalization had done so, it would have usurped authority and acted without the



sanction of law. The Board of Equalization which met in 1876 did assess, adjust and equalize the railroad property in this State, subject to taxation, which was owned by the railroad companies on the first of August, 1875, and the Board of Equalization which met in 1875 did assess, adjust and equalize railroad property in this State owned by said railroads on the first day of August, 1874, and the Board of Equalization which met in 1874, did assess the railroad property in this State subject to taxation, which was owned by said railroad companies on the first day of August, 1873, and the Auditor was by law required to lay before the Board of Equalization the reports which had been made in the January immediately next preceding the assembling of said boards by the presidents of the several railroad companies in this State. The returns which were required for the last two years to be made on the first of January by the presidents of railroads, amongst other things required a statement of the rolling-stock and of the real estate, besides roadbed, which the railroad company owned, occupied or leased on the first of August preceding the date of said report, and a duplicate report was to be made to the clerk of the county courts of each county through which said road run or in which said road owned property, which was to be laid before the county courts of said counties, and the courts were to examine said statements and determine the correctness thereof as to property and valuation, and if said report was found to be incorrect, the court was to add thereto the property omitted, and the said courts were required to make a statement of the cash value of the property of said railroads within their respective counties, and which report was to be made to the State Auditor on or before the first of April, and all of these reports made by the railroad companies and by the county courts, the Auditor was to lay before the Board of Equalization to enable said Board to assess, adjust and equalize the value of said railroad property, and such returns were presented to the Board of Equalization of 1876, whereby it assessed the several railroads in this State for the year 1875.



The bill under consideration provides: "Said Board of Equalization at its annual meeting for the year 1877, in addition to assessing, adjusting and equalizing the railroad property of the State for the year 1877, as provided for by law, shall also proceed to assess, adjust and equalize the aggregate valuation of the property of each one of the railroad companies liable to taxation under the laws of this State, for the year A. D. 1876, on such information and returns as they may have before them, and any other evidence that will enable them to make a fair and equitable assessment of said property for said year 1876."

This declares the Board of Equalization shall assess, etc., the railroad property of the State for the year 1877, as provided by law. But there is no law providing that in 1877 said Board shall assess the railroad property in this State for the year 1877, and there are laws which provide the said Board shall do just what the latter part of said section requires said Board to do; that is, to assess said railroad property for the year 1876. Now, there is no law requiring the railroad companies nor the county courts to make any reports whatever to the State Auditor to be laid before the Board of Equalization which shows the property owned by the railroad companies on the first day of August, 1877, for the assessment of railroad property for the year 1877 sooner than the first of January next, by the railroad companies, nor by the county courts till April, 1878. The Legislature has proceeded on a wrong basis in the enactment of said bill, viz: That it is the duty of the Board of Equalization to assess the railroad property for the year 1877; whereas, it was the duty of the Board of Equalization in 1876 to assess the railroad property for 1875, and it is the duty of the Board of Equalization for this year to assess the railroad property for the year 1876, that is the property the railroads owned on the first of August, 1876, just as the property owned by individuals on the first of August, 1876, has been assessed for that year, and which assessment will not be completed till this month. The bill cannot be executed so as to assess the railroad property for 1877; but without



the aid of said bill the railroad property will be assessed for the year 1876.

Neither the Auditor nor the Board of Equalization have any returns showing the property owned by any of the railroads in 1877, nor is there any law requiring any officers to make any such returns till the first of January, 1878, and as this bill, if it shall become a law, cannot be executed (and such opinion is entertained by each member of the State Board of Equalization).

I withhold my approval of the same.

JOHN S. PHELPS.

Executive Office, May 12, 1877.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

MAY 19, 1877

*From the Journal of the Senate, p. 617*

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*Hon. M. K. McGrath, Secretary of State:*

Sir—I return to you a bill which originated in the Senate, entitled: “An act for the incorporation of salvage corps, (269) without my approval. This bill was presented to me on the 27th day of April, and the General Assembly adjourned on the 30th day of April. Private corporations for benevolent and charitable purposes can now be established under our general laws, by which the same objects can be accomplished which are designed to be accomplished by this bill. This bill proposes to confer on private corporations the power to levy a corporation tax or assessment on the amount of business which may be done by individuals who are not members of the incorporation and to subject such individuals by reason of their business to this assessment, and if one class of persons who are not members of a private corporation may be subjected to an assessment levied by said corporation, then all persons may



be subjected to a similar assessment. The natural right to the enjoyment of the gains of one's own industry, that no person shall be deprived of his property without due process of law, are rights enumerated and secured to the people in our Constitution; and as the bill under consideration violates these provisions, I withhold my approval of the same. I also submit the opinion of Attorney-General Smith, which has my approval, clearly demonstrating this bill contains provisions in conflict with the Constitution.

JOHN S. PHELPS.

Executive Office, May 19, 1877.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

MAY 19, 1877

*From the Journal of the House of Representatives, p. 1151*

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*Hon. M. K. McGrath, Secretary of State:*

Sir—I return to you a bill which originated in the House of Representatives, entitled An act to provide for the care and maintainance of the insane of the county and city of St. Louis, and to appropriate money therefor, without my approval.

This bill was presented to me within ten days prior to the adjournment of the General Assembly. In the general appropriation bill \$70,000 was proposed to be appropriated toward the maintenance of the St. Louis County Insane Asylum. For reasons given in a special message to the House of Representatives, I could not approve of that appropriation. By this bill it is proposed to appropriate \$55,000 for the support of the indigent insane of the city and county of St. Louis for the years 1877 and 1878. While this bill is subject to the objections taken to the appropriation of \$70,000 it is also objectionable for the reason it is local and special. None but the indigent insane of the city and county of St. Louis can be the beneficiaries



of this act. The insane of the city and county of St. Louis are proper subjects to be and can be admitted to the Insane Asylums at Fulton and St. Joseph, and no indigent insane persons from any other portion of the State, except the city and county of St. Louis, can be received into the asylum it is proposed to adopt or to establish by this bill and receive the benefits of this appropriation. And in addition thereto all the indigent insane now in State Lunatic Asylums are supported at the expense of the counties from which they were sent, and this bill proposes all the pauper insane in the St. Louis County Asylum which were sent from the county of St. Louis, shall not be supported by said county but by the State, thus making provision for the pauper insane sent from the county of St. Louis, such as is not made for any other county in this State. For the reason that the money proposed to be appropriated is a grant of money to an association of individuals and that the bill is a local and special bill of which no notice has been given as required by the fifty-fourth section of the fourth article of the Constitution, I do not give my assent to the same.

Very respectfully,

JOHN S. PHELPS.

Executive Mansion, May 19, 1877.

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### TO THE HOUSE OF REPRESENTATIVES

MAY 19, 1879

*From the Journal of the House of Representatives, pp. 1621-1623*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, May 19, 1879.

*Hon. J. Ed. Belch, Speaker House of Representatives:*

Sir—I regret I am compelled to return to the House of Representatives, in which it originated, a joint resolution Authorizing the Governor and Attorney-General to employ an attorney to prosecute certain claims against the government of the United States, without my approval. My objection relates to the form of the procedure and not to



its subject matter. Whether so directed or not, I should endeavor to obtain from the government of the United States whatever may be justly due from the United States, but I have not any authority to employ attorneys for that purpose.

The constitution of our State provides: "The style of the laws of this State shall be, 'Be it enacted by the General Assembly of the State of Missouri, as follows,'" and "No law shall be passed except by bill, etc.;" "Bills may originate in either House, etc.;" "No bill \* \* \* shall contain more than one subject, etc." The constitution plainly recognizes the difference between bills and joint resolutions. Bill, in parliamentary law, means "a form or draft of a law presented to a legislature, but not yet enacted, or before it is enacted—a proposed or projected law." A bill, after it receives the approval of the law-making power, is then denominated *an act*, whilst joint resolutions have only the one name, both before and after their adoption.

A writer on parliamentary law says: "Until the second session of the 27th Congress, no instance is to be found of an appropriation elsewhere than in a bill. During the first fifty years of the government, the whole number of joint resolutions passed scarcely amounted to two hundred, whilst since that period the number has been quadrupled, and at the 41st Congress alone, amounted to more than five hundred. The increase within the latter period in the number of joint resolutions containing appropriations has been in a still greater proportion. The early and long continued practice of Congress indicates that the framers of the constitution who sat in the first and succeeding Congresses, and those who followed them for many years, construed the constitutional provision that 'no money shall be withdrawn from the Treasury but in consequence of appropriations made by law,' as requiring the highest character of laws—namely, bills, not joint resolutions."

The constitution provides: "The Governor shall consider all bills and joint resolutions," etc., and it is also provided: "Every resolution to which the concurrence of



the Senate and House of Representatives may be necessary, except on questions of adjournment, of going into joint session, and of amending this constitution, shall be presented to the Governor, and before the same shall take effect, shall be proceeded upon in the same manner as in the case of a bill: *Provided*, that no resolution shall have the effect to repeal, extend, alter or amend any law."

Legislative bodies make known their will by orders, resolutions and bills. All the constitutions of this State have contained the same provision concerning the style of the laws; and it was held by the Supreme Court of this State, under a former constitution, that the provision concerning the *style* of our laws was directory and not mandatory. But it is clear to my mind the framers of the present constitution intended the style of all our laws should be, "Be it enacted by the General Assembly of the State of Missouri," and therefore this provision is mandatory. Besides declaring such shall be the style of our laws, the constitution also provides, "That no resolution shall have the effect to repeal, extend, alter or amend any law," thus showing that if any new law shall be adopted—any existing law to be extended, repealed or amended, it is to be done by bill and not by joint resolution. The joint resolution herewith returned proposes to *alter* existing laws—to prescribe a rule of action in a manner which is forbidden by the constitution, and I therefore withhold my approval.

Very respectfully,

JOHN S. PHELPS.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

MAY 23, 1877

*From the Journal of the Senate, pp. 618-620*

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*Hon. M. K. McGrath, Secretary of State:*

Sir—I return to you a bill entitled "An act to revise and amend the laws in relation to the organization and support of public schools, and to repeal certain acts relating



thereto," which originated in the Senate, and which was presented to me within the ten days prior to the adjournment of the General Assembly, without my approval. The bill under consideration has but little in it which is new. It is principally a re-enactment (differently arranged) of the school law of 1874, with the provisions relating to the public school fund and county school fund contained in the Constitution incorporated in the bill. It also contains the provisions of the Constitution restricting and limiting the power of taxation by the school municipalities, and yet in describing what shall compose the county school fund, the bill provides all fines, penalties and forfeitures shall in part compose said fund, whilst the Constitution provides the clear proceeds of all penalties, etc., shall be a part of said fund. Whether the term "clear proceeds" is synonymous with the term "net proceeds" or not, I am not prepared to say, but the term "clear" could have been used in the bill leaving it for the courts hereafter to determine. And it may be urged that the "clear proceeds" of penalties, etc., mean the proceeds after deducting all costs, charges and expenses of their collection, so that the counties and the State may be reimbursed for all the costs, charges and expenses of the prosecution by which these fines and forfeitures were collected.

But the bill makes important provisions in relation to the Revenue Fund of the State, and which are not indicated in its title. By the Constitution of the State, not less than twenty-five per cent. of the Revenue Fund shall be applied annually to the support of the public schools. Under existing laws this money is set apart for the support of the public schools in the month of March, so that the amount may be paid from the State Treasury in the months of March and April, for the support of the public schools. But it is proposed in this bill, that at the commencement of each month the State Auditor shall compute and ascertain the amount of the receipts into the Revenue Fund for the last preceding month, and that he shall then compute, set apart and transfer to State school moneys one-fourth of



such amount for the use and benefit of the public schools of this State, and that he shall notify the Treasurer of such transfer, and that the Treasurer shall then make the transfer of said account from the Revenue Fund to the State school moneys.

Thus the transfer is required to be made monthly of one-fourth of the Revenue Fund to the fund of the State school moneys, when the State school moneys will not be required for the use of the public schools sooner than the month of March in each year.

For the last two years large amounts of Auditor's warrants have been issued which have not been paid because there was no money in the Revenue Fund. The largest part of the revenue is paid into the treasury in the months of January, February, March, October, November and December—the largest amounts in the months of January and December. The receipts into the treasury the other six months are very small. From this time till the month of March next, all the money received into the Revenue Fund will be required to pay outstanding warrants, and to defray the current expenses of the government, and until March, 1878, none of the money which has been received into the Revenue Fund since the first of March last, nor that which may be received till next March, will be required to be disbursed for the support of the public schools. And on the other hand, every dollar which will be received into the Revenue Fund will be needed to defray the current expenses of the government.

The provisions of the bill under consideration, to which I have referred, will impair the public service by setting apart money to a fund which is not now needed for that fund, and withdrawing it from a fund where it is greatly needed. It will, to a certain extent, delay and postpone the payment of warrants drawn on the Revenue Fund, and thereby cause the holders of said warrants to be subjected to a discount on them. The means of paying home creditors should not be impaired, nor should the citizen be subjected to loss on his demands against the State.



One-fourth of the Revenue Fund of this State for twelve months ending on 1st of March last, amounted to more than \$365,000. One-fourth of the Revenue Fund to 1st of January last (10 months), amounted to about \$261,000, which sum was applied to the payment of the current expenses of the State government, and not set apart as State school moneys.

But in the month of March last the proper amount of State school moneys was duly set apart.

Because the provisions of the bill which require a division to be made of the Revenue Fund on the first day of each month, and that 25 per cent. of the same shall be set apart as State school moneys will seriously embarrass the financial operations of the government in this: that it will cause the holders of Auditor's warrants to be longer delayed in the payment of their just demands, and because said school moneys will not be disbursed, nor required to be disbursed, till the months of March and April next, I withhold my approval of the bill.

Other objections might be urged to the approval of the bill; but those named I deem sufficient. Certain it is, the management and support of the public schools will not in the least be embarrassed by the non-approval of said bill. And it seems to be the part of wisdom we shall not, at every session of the Legislature, change our school law.

JOHN S. PHELPS.

Executive Office, May 23, 1877.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

JUNE 7, 1879

*From the Journal of the Senate, pp. 993-994*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, MISSOURI, June 7, 1879.

*Hon. M. K. McGrath, Secretary of State:*

Sir—I transmit to you House bill No. 630, entitled  
An act to amend section 31 of chapter 122 of the General



Statutes of Missouri of 1865, with my reasons for withholding my approval of the same.

The constitution, section 28, article 4, provides: "No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article) shall contain more than one subject, which shall be *clearly expressed* in its title."

It was the intention of the Legislature to amend the law respecting executors and administrators, and to authorize sales of real estate for the payment of debts in cities of one hundred thousand inhabitants, or more, to be made at an established real estate exchange; if the court should so direct. There is no subject matter expressed in the title of this bill, and therefore the requirements of the constitution, in this respect, have not been complied with. In my opinion, this provision of our constitution is mandatory and not merely directory. Because the subject of this bill is not clearly expressed in its title, I refuse to approve it.

Very respectfully,

JOHN S. PHELPS.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

JUNE 7, 1879

*From the Journal of the Senate, p. 994*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, June 7, 1879.

*Hon. M. K. McGrath, Secretary of State:*

Sir—I transmit to you House bill No. 633, entitled An act to amend section forty-two of chapter one hundred and sixty of the General Statutes of Missouri of 1865, with my reasons for withholding my approval of the same.

The constitution, section 28, article 4, provides: "No bill (except general appropriation bills, which may embrace



the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article) shall contain more than one subject, which shall be *clearly expressed* in its title."

The object of this bill is to provide that in cities of one hundred thousand inhabitants, or more, sales of real estate on execution may be made at a real estate exchange, if so designated by the officer in his advertisement of the sale. There is no subject matter expressed in the title of this bill, and therefore the requirements of the constitution, in this respect, have not been complied with.

In my opinion, this provision of our constitution is mandatory and not merely directory. Because the subject of this bill is not clearly expressed in its title, I decline to approve of it.

Very respectfully,

JOHN S. PHELPS.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

JUNE 9, 1879

*From the Journal of the Senate, p. 995*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, June 9, 1879.

*Hon. M. K. McGrath, Secretary of State:*

Sir—I herewith transmit to you Senate bill No. 345, entitled An act to appropriate money to pay interest on certain State bonds held in trust for the State Seminary Fund for the years 1879 and 1880, without any approval indorsed thereon.

In the general appropriation act, approved March 24, 1879, the amount necessary to pay all the interest on the debt of the State was appropriated, amounting to the sum of \$2,010,960, for the years 1879 and 1880. This sum includes the amount of interest which will accrue for two years



on the State bonds held in trust by the State for the Seminary Fund, as well as all other indebtedness of the State, except the interest on the revenue bonds; therefore, this bill is unnecessary.

Very respectfully,

JOHN S. PHELPS.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

JUNE 11, 1879

*From the Journal of the Senate, pp. 995-996*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, June 11, 1879.

*Hon. M. K. McGrath, Secretary of State:*

Sir—I herewith transmit to you a bill, which originated in the Senate, entitled An act relating to the appointment of a committee to settle with the State Treasurer, without my approval indorsed thereon. The committee of the members Legislature, who were appointed by the Executive to make settlement with the State Auditor and State Treasurer, entered before the Legislature convened, on the discharge of the duties assigned them. They were many days engaged in examining the vouchers in the offices of the Auditor and Treasurer, and, afterwards, made their report to the Legislature. This report was not approved by the Legislature; and, consequently, no actual settlement was made and approved.

The bill, under consideration, provides for a settlement of the accounts of the State Treasurer only, and not for the settlement of the accounts of the Auditor. It is desirable a settlement of the accounts of both of these officers should be made to the first of January last; and of the accounts of the Treasurer from the 1st of January last to the 14th day of April, the date of the approval of the new bond of the Treasurer. The accounts of these two officers are so



intimately connected that the accounts of both should be settled at the same time.

Because this bill does not provide for the settlement of the accounts of both these officers, and because the bill proposes to assign a committee, composed of members of both houses, after the adjournment of the Legislature, to the performance of other than legislative duties—or duties not connected with the revision and promulgation of the revised laws, and to direct that additional compensation be made therefor; and because no committee has been, nor can be now, appointed on the part of the Senate, I decline to approve of this bill.

Very respectfully,

JOHN S. PHELPS.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

JUNE 11, 1879

*From the Journal of the Senate, pp. 996-1001*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, June 11, 1879.

*Hon. M. K. McGrath, Secretary of State:*

Sir—I herewith transmit you a bill, which originated in the House of Representatives, entitled An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6, with my reasons for not approving the same.

The laws of this State declare all officers shall hold their offices until their successors are elected or appointed, commissioned and qualified. The Constitution declares that when any vacancy in office shall be filled, the person appointed “shall continue in office until a successor shall have been duly elected or appointed and qualified according to law.” The law contemplates that persons who have been duly appointed to office and have entered on the discharge



of the duties pertaining thereto, cannot by their act alone be relieved from the discharge of its duties or voluntarily abandon the office. By accepting an office the person accepting promises to discharge the duties of the office during the entire term for which he shall have been appointed, and until his successor shall be qualified. Hence the commissions issued to officers who have been appointed to fill vacancies in this State, define the term of office, and also authorize and require the incumbent to continue in the discharge of its duties till his successor shall be qualified. But it is urged by some that the acceptance of a resignation is not necessary to retire the incumbent from the "burdens and cares of office." I do not approve of this doctrine. On the contrary, one who seeks to be relieved from office by resignation, must deliver his resignation to the proper officer, who must accept it, and make official note of the same, and the fact of acceptance ought to be communicated to the incumbent.

For a long time in this State, under every road law, from 1835 to the present date, (and that law has often been re-enacted) overseers of roads have been compelled to discharge the duties of the office, and if they should refuse to accept the office, they were subject to a criminal prosecution, for which the punishment was and is a fine. Overseers were required to perform the duties of the office for at least one year before the county court could release them from the office. They could not refuse to accept the office, nor could they resign within one year from the date of their appointment. They were compelled to accept the office, and in this respect like unto those who are members of municipal corporations, who may, if eligible, be compelled to discharge the duties of the office imposed on them, or submit to such punishment as may be prescribed.

It is an established principle of law that a municipal corporation may compel its members to discharge the duties of an office; in other words, to accept an office, or, by means of a by-law, impose a pecuniary penalty upon such as refuse without legal excuse. And if it be true that



municipal corporations obtain all their powers by virtue of grants from the Legislature, then has the Legislature the power to require any of its citizens who are eligible to accept an office, or suffer a penalty for refusing it, or after having accepted the office, to require him to discharge the duties of the office for its full legal terms, unless relieved therefrom by the acceptance of a resignation submitted to the appointing power. The Legislature can grant no power unless the Legislature possesses such power, and may itself exercise it.

I adopt the views expressed by Ruffin, C. J., of North Carolina, in the case of Hoke vs. Henderson, 4th Dev. Rep.:

"It has been said that the obligation to continue in office ought to be mutual to be complete, and that such is not the case, because the officer may at his pleasure resign. The argument on behalf of the power to discharge an officer assumes the right of the officer to discharge himself; and in that point differs entirely from the law as it stands in the conception of the court. An officer may certainly resign, but, without acceptance, his resignation is nothing, and he remains in office. It is not true that an office is held at the will of either party; it is held at the will of both. Generally, resignations are accepted, and that has been so much a matter of course with respect to lucrative offices as to have grown into a common notion that to resign is a matter of right. But it is otherwise. The public has a right to the services of all the citizens, and may demand them in all civil departments as well as in the military.\*\*\* Every man is obliged, upon a general principle, after entering upon office to discharge the duties of it while he continues in office, and he cannot lay it down until the public, or those to whom the authority is confided, are satisfied that the office is in a proper state to be left, and the officer discharged. The obligation is, therefore, strictly mutual, and neither party can forcibly violate it. If indeed the public change the emoluments, of office, it is another question, whether that be not an implied permission for the officer to retire at his election, unless the contrary be pro-



vided in the law. For I cannot doubt that the Legislature has the perfect power, if it choose arbitrarily to exercise it, of compelling, not indeed a particular man designated in a statute by name, but any citizen elected or appointed as by law prescribed, to serve in office even against his will. I have mentioned some instances in which it is done, and there is no reason why, making due compensation, it may not be done as to all officers."

In the case of the State, etc., vs. Boecker, 56 Mo. Reps., 17, it was held that a resignation, to take effect at a future time, was a mere evidence of an intention to resign, and subject to be withdrawn by the party making it at any time before the time indicated, and afterwards by consent of the appointing power. In this case the clerk of the county court filed his resignation with said court, to take effect at a future day, and a copy of the resignation was sent to the Governor, who made an appointment, over the objection of the incumbent, and fifty days before any vacancy could occur. The court says: "The resignation was really in the keeping and under the control of the defendant. It could not amount to a complete and legal resignation, either present or prospective, *until it was actually delivered to the Governor, and accepted by him*, with the knowledge and consent of the defendant. The delivery was not only without his consent, but against his express wishes and protest."

The bill under consideration consists of two sections. The first section is as follows:

"Section 1. Section one of chapter sixteen of the General Statutes of the State of Missouri, is hereby amended so as to read as follows: Section 1. All officers elected or appointed by the authority of the laws of this State, shall hold their offices subject to the right of resignation during their official terms, and until their successors shall be duly elected or appointed and qualified."

It is substantially section 5, article 14 of the State Constitution. I have endeavored to show that the "right of resignation" can be exercised only by the consent of the appointing power; that until a resignation should be accepted



by the proper officer, the person tendering the resignation would still be in office; that acceptance was necessary, and knowledge of the acceptance should be communicated to the person proposing to resign.

But the second section, being the sixth section of the act, reads as follows:

Section 6. Every county officer may, at any time, resign his office; such resignation may be made in writing, signed by the officer resigning his office, and filed in the office of either the clerk of the circuit court, or the clerk of the county court of the county. Upon the filing of such resignation in the office of either of such clerks, the office of the officer so resigning, shall be vacant, and a certificate of such vacancy, together with a certified copy of such resignation, shall be immediately certified to the Governor by the clerk in whose office such resignation may be filed."

If this bill should become a law, all the officers of a county might resign, and if this may be done in one county, it might be done in every county in the State. If it is not intended, by this bill, to provide that, from the date of filing of the resignation with the clerk, the officers shall be relieved from all duties and further liabilities, then the bill makes no change in the law, and is, therefore, unnecessary. But there can be no doubt it is intended to provide that county officers shall be permitted to resign, and be relieved from the duties and responsibilities of their office from the date of filing their resignation with the clerk of either the circuit or county courts. There will, therefore, be a time when no person can lawfully discharge the duties of the office—when no person will lawfully have the care of the valuable records belonging to the counties. The three judges of the county court, the judge of the probate court, the clerks of county and circuit courts, the sheriff, coroner, assessor, collector, recorder of deeds, treasurer, public administrator and county surveyor, comprise the county officers, and the duties all of these officers perform are not only important to the counties, but some of them are absolutely necessary to enable the wheels of the State government to move



Suppose all of the county officers, except the clerk of the county court, shall resign. Without a sheriff or coroner, no process, civil or criminal, would be served; without a clerk of the circuit court, no suits would be commenced, no indictments found, and no execution could be issued; without the assessor, no valuation of property could be had, nor without a collector could the taxes be collected. I am supposing such a case as probably will never arise, but these evils could occur under the proposed law, and we should guard against the possibility of their happening. Justice Elmer, of the Supreme court of New Jersey, in the case of *State ex. rel. Reeves vs. Ferguson*, 31st N. J. law reps., Page 107, remarks: "To hold that an officer, civil or military, may, at his own pleasure, divest himself of responsibilities, by simply tendering a resignation, whatever may be the circumstances prompting the act, it seems to me would be fraught with danger of no ordinary magnitude."

I cannot sanction the provision that every county officer may resign by filing his resignation with the clerk of the county or circuit court, and thereby be relieved and discharged from the further performance of the duties of the office, or the liability for the non-performance thereof. I cannot consent to the increase of the periods of intermission or interregnum of offices. Who is to guard and protect the records entrusted to county officers? Who is to take care of and preserve the deed books of any county, if the recorder shall, by filing his resignation with the clerk, be relieved from further performance of duty? If the office of recorder is vacant, and the late incumbent is discharged from the duties of the office, he has no more right to the custody of the deed books—of immense value—than an absolute stranger. So with the records of the circuit court. The clerk filing his resignation with the clerk of the county court, and who will have the custody and care of the valuable records of his office? And so with the other officers. This bill permits officers to resign and abandon the valuable records in their possession, and leave them absolutely to



the care of nobody. I will sanction no measure from which can flow such dire consequences.

But there is another objection to this bill. Its title is as follows: "An act to amend section 1 of chapter 16 of the General Statutes of the State of Missouri, and to add a new section to said chapter, to be numbered section 6." Now, this title does not comply with the requirements of the Constitution in that particular, which I recognize to be mandatory and not directory. I think the proper rule for the construction of State Constitutions is tersely expressed in the new Constitution of the State of California: "The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise." The Constitution of this State provides, section 28, article 4: "No bill ( \* \* \* \* \*) shall contain more than one subject, which shall be clearly expressed in its title." Will any one inform me what subject is expressed in this title? Can you discover the subject matter of legislation from this title? If so, what is it? Is it "clearly expressed in its title?" Anything else printed after this title—for instance a portion of the statutes concerning crimes and punishments or concerning wills—would be just as appropriate as the two sections of this bill.

For the reasons I have given, I cannot approve of the bill.

Very respectfully,

JOHN S. PHELPS.

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VETO RECORDED WITH THE SECRETARY OF  
STATE

JUNE 11, 1879

*From the Journal of the House of Representatives, pp. 1656-1657.*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, June 11, 1879.

*Hon. M. K. McGrath, Secretary of State:*

Sir—I herewith transmit to you a bill, which originated in the Senate, entitled An act relating to the appointment of a committee to settle with the State Treasurer, without



my approval indorsed thereon. The committee of the members of Legislature, who were appointed by the Executive to make settlement with the State Auditor and State Treasurer, entered before the Legislature convened, on the discharge of the duties assigned them. They were many days engaged in examining the vouchers in the offices of the Auditor and Treasurer, and, afterwards, made their report to the Legislature. This report was not approved by the Legislature; and, consequently, no actual settlement was made and approved.

The bill, under consideration, provides for a settlement of the accounts of the State Treasurer only, and not for the settlement of the accounts of the Auditor. It is desirable a settlement of the accounts of both of these officers should be made to the first of January last; and of the accounts of the Treasurer from the 1st of January last to the 14th day of April, the date of the approval of the new bond of the Treasurer. The accounts of these two officers are so intimately connected that the accounts of both should be settled at the same time.

Because this bill does not provide for the settlement of the accounts of both these officers, and because the bill proposes to assign a committee, composed of members of both houses, after the adjournment of the Legislature, to the performance of other than legislative duties—or duties not connected with the revision and promulgation of the revised laws, and to direct that additional compensation be made therefore; and because no committee has been, nor can be now, appointed on the part of the Senate, I decline to approve of this bill.

Very respectfully,

JOHN S. PHELPS.



## SPECIAL MESSAGES

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TO THE SENATE

JANUARY 20, 1877

*From the Journal of Executive Business, p. 167*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 20, 1877.

*To the Senate:*

I have the honor to nominate Wm. McLean of Johnson County and Wm. P. Greenlee of Johnson County whose terms of office [expired] on the 1st day of January 1877, to be Regents of the Normal School District No 2. for the term of six (6) years each from said 1st of January 1877, and request the advice and consent of the Senate to their appointment.

Very Respectfully

(signed) JOHN S. PHELPS

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 23, 1877

*From the Journal of the House of Representatives, p. 155*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 23, 1877.

Sir—Herewith I have the honor to submit to the House of Representatives the sixth biennial report of the Board of Immigration of this State.

Very respectfully,

JOHN S. PHELPS.



*TO THE SENATE*

JANUARY 25, 1877

*From the Journal of Executive Business, p. 169*

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EXECUTIVE MANSION, CITY OF JEFFERSON, January 25, 1877.

*Senators:*

When I submitted to you the nomination of David S. Hooper for the office of Regent I was not aware that he held the office of Postmaster at Kirksville. By reason of holding that office he is not eligible to the office of Regent and his nomination is hereby withdrawn if you consent thereto.

Very Respectfully  
(signed) JOHN S. PHELPS

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*TO THE SENATE*

JANUARY 31, 1877

*From the Journal of Executive Business, p. 169*

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CITY OF JEFFERSON, January 31, 1877.

*To the Senate:*

I hereby nominate and appoint David H. Armstrong to be Police Commissioner of the City of St. Louis for the term of four years from the 1st of January last in place of C. C. Rainwater whose term of office has expired.

And I hereby nominate and appoint Basil Duke to be Police Commissioner of the City of St. Louis for the term of four years from the 1st of January last in place of Louis Dorsheimer whose term of office has expired and I request that the Senate will advise and consent to said appointments.

Very Respectfully  
(signed) JOHN S. PHELPS



*TO THE SENATE*

FEBRUARY 7, 1877

*From the Journal of Executive Business, p. 170*

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EXECUTIVE DEPARTMENT, JEFFERSON CITY, February 7, 1877.

I hereby nominate and appoint William S. Wheeler, Charles A. Bailey, Thomas B. Nesbit, Addison S. Robinson and Samuel S. Dedman all of Callaway County to be managers of the Missouri Institution for the Education of the Deaf & Dumb and I request the Senate will advise and consent to said appointment.

Respectfully  
(signed) JOHN S. PHELPS

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*TO THE SENATE*

FEBRUARY 7, 1877

*From the Journal of Executive Business, p. 170*

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EXECUTIVE DEPARTMENT, JEFFERSON CITY, February 7, 1877.

*To the Senate:*

I hereby nominate and appoint Samuel N. Russell, William W. McFarlane of Audrain County and John M. Tate, John A. Hockaday Edwin Curd, William H. Wilkeran, Benjamin F. Harrison, Clare O. Atkinson and James Rickenbaugh of Callaway County, the first three named being physicians to be managers of the Lunatic Asylum at Fulton and I request the Senate will advise and consent to said appointments.

Very Respectfully  
(signed) JOHN S. PHELPS



## TO THE SENATE

FEBRUARY 28, 1877

*From the Journal of Executive Business, p. 175*

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EXECUTIVE DEPARTMENT, JEFFERSON CITY, MISSOURI,  
February 28, 1877.

*To the Senate:*

I hereby nominate and appoint John D. Vincil to be a member of "The Board of Regents for Normal School District No. 1.," in place of David S. Hooper, whose term of office has expired; and I request the senate will advise and consent to said appointment.

Very Respectfully,

JOHN S. PHELPS.

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## TO THE SENATE

MARCH 5, 1877

*From the Journal of Executive Business, p. 180*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI, March 5, 1877.

*To the Senate:*

I hereby nominate and appoint James H. Tunnan to be a member of "Board of Managers of the Lunatic Asylum at Fulton" in place of James Rickenbaugh who has resigned; and I request that the Senate advise and consent to said appointment.

Very Respectfully,

JOHN S. PHELPS.



## TO THE SENATE

MARCH 7, 1877

*From the Journal of Executive Business, p. 184*

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EXECUTIVE SESSION, CITY OF JEFFERSON, MISSOURI, March 7, 1877.

*To the Senate:*

I hereby nominate and appoint William S. Relfe, of Washington county, to be Superintendent of the Insurance Department; and I request the Senate will advise and consent to his appointment.

Very Respectfully,

JOHN S. PHELPS.

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TO THE SENATE AND THE HOUSE OF  
REPRESENTATIVES

MARCH 20, 1877

*From the Journal of the House of Representatives, pp. 563-567*

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*Senators and Representatives:*

The State Auditor, in his report, shows that on the first day of January last there was a balance in the treasury to the credit of the revenue fund, of \$4,013.73. But in fact at that time there was not a sufficient amount of money in the treasury to pay the outstanding warrants drawn on the revenue fund.

The Treasurer had received in pursuance of law from the collectors, \$4,484.50 in wolf-scalp certificates, which was counted as cash in the treasury in the report of the Auditor; hence he was unable to redeem all the outstanding warrants which had been drawn on the revenue fund.

During the years 1875 and 1876, the Auditor had, in pursuance of law, audited and adjusted demands against the State to the amount of \$184,401.68, and for which



amount he issued certificates of indebtedness to the claimants, because the money appropriated for the payment of such demands had been exhausted, or because no money had been appropriated for that purpose.

A small portion only of the expenses incurred in taking the census was paid during the last year, and the amount remaining unpaid is estimated to be \$54,765.00.

Fee-bills for costs in criminal cases and other demands against the State were presented to the Auditor, amounting to about \$25,000 during the latter part of last year, and were not audited because the money which had been appropriated for such expenses had already been exhausted.

The St. Louis Court of Appeals was established by the adoption of the Constitution, and after the adjournment of the Legislature. No money had been appropriated wherewith to pay the expenses of this court. Certificates of indebtedness had been issued for a part of the salaries due the judges of that court, but there is a balance of salaries due them of \$2,500.00 for their services last year.

By the provisions of the Constitution, not less than twenty-five per cent. of the State revenue shall be annually set apart for the support of the public schools. During this month that amount has been set apart, and amounts to a little more than the sum of \$365,000 for this year. This computation is based on the amount of State revenue received for the year commencing on the first day of March, 1876, and ending on the last day of February, 1877. This sum has been transferred to fund of State school moneys, and probably all will be drawn from the treasury during the month of April.

The general appropriation bill, as it passed the House of Representatives, estimating the school moneys at \$365,000 annually, appropriates the sum of \$2,656,995, payable from the revenue fund for the support of the government for the years 1877 and 1878. But of this sum \$57,265 is appropriated on account of deficiencies of appropriation for the last two years, \$203,900 is to defray expenses already incurred, and which will be incurred during the first half



of this year, and which are for the pay of the General Assembly, its contingent expenses, paper for the public printing, printing reports and documents, and printing the laws and journals, and distributing the same. Deducting these two sums, amounting to \$261,165 from \$2,656,995, will leave \$2,393,830 to be equally divided for the service of the years 1877 and 1878.

The annual amount of.....	\$1,196,915	
Add to this pay of General Assembly, paper, printing, etc....	203,900	
Certificates of indebtedness.....	\$184,441	
Census and salaries of Court of Appeals.....	57,265	
Bill of costs, etc., filed with Auditor before first of January, and not audited.....	25,000	266,666
Total.....		\$1,667,481

This shows there will be required, in order to meet the current expenses of the government for this year and to pay deficiencies, the sum of \$1,667,481.

But the revenue this year from all sources coming into the revenue fund, as estimated by the Auditor, and I concur with him in his estimates, will amount to the sum of only \$1,318,000, which will leave a balance of \$349,471, with no money wherewith to pay the same.

And if the expenditures shall not exceed the foregoing estimate, and the revenue shall equal the estimates of the Auditor for the year 1878, on the first day of January, 1879, the indebtedness of the revenue fund would be reduced to the sum of \$228,386.

Such is our financial condition.

The Constitution prohibits any higher tax being imposed on the taxable property than twenty cents on the hundred dollars valuation. It is estimated the taxable property of the State has not increased, nor is it probable its value has increased any considerable amount since the assessment for the tax of last year.

It may be assumed the assessed value of the taxable property (not including the value of the railroads) is the same it was for the last year, \$560,777,361.



The costs in criminal cases will probably amount to the same sum they did last year, as much of the costs for which the State will be liable has already accrued, and will be regulated by existing laws.

During the past two years, warrants were drawn on the

Treasury, for costs in criminal cases to the amount of . .	\$360,606.00
Certificates of indebtedness . . . . .	111,547.00
Presented to the Auditor before the first of January for audit . . . . .	15,000.00
Total . . . . .	\$487,153.00
Making an annual amount of . . . . .	\$243,576.00

And I know of no reason we can estimate the costs for this year less than they were last year, unless there shall be immediate legislation which shall greatly diminish the costs of transporting criminals to the Penitentiary, and also the costs attendant on the prosecution of those charged with crime. Such legislation I hope will be adopted, and though it may not materially diminish the costs in criminal cases during this year, I trust the expenditure under this head will be considerably reduced next year.

I recommend it be provided by law that the costs of the term incurred by the defendant shall in no event be paid by the State when the defendant obtains a continuance of the cause, and that he shall be liable for the payment of the costs of the term; and furthermore, that when the State or county shall be liable to pay costs it shall pay to the persons entitled thereto only one-half of the amount now authorized by existing laws. Such was at one time the legislation of this State, and that too, at a time when the fees to which witnesses were entitled were considerably less than at the present time.

Provision should be made for as prompt payment to those who render services for the State as is made for the payment of the interest accruing on the bonds of the State; both classes of demands are equally just and meritorious.

As the rate of taxation on property cannot be increased, and as we cannot materially diminish the expenses of the



government for this year, and as a large amount of this deficiency accrued prior to this year, there seems to be no remedy but to resort to a loan, if speedy payment of these demands shall be made.

The framers of the Constitution believed twenty cents on the one hundred dollars of valuation of property would be amply sufficient to defray the expenses of the government. But authority is given to make a temporary loan "on the occurring of an unforeseen emergency or casual deficiency of the revenue, when the temporary liability incurred, upon the recommendation of the Governor first had, shall not exceed the sum of \$250,000 for any one year, to be paid in not more than two years from and after its creation."

A casual deficiency of revenue has occurred, and I recommend a loan of \$250,000 be authorized, payable in not more than two years from and after its creation, or in other words, from and after the loan shall be made.

I cannot recommend a loan for a larger sum, as the Constitution names the maximum amount. It is believed this loan can be made at six per cent. interest, and provision should be made for its speedy payment.

And for the purpose of paying this debt, I respectfully recommend a poll-tax be levied. If the Legislature shall think proper to provide for levying a poll-tax, it can be levied this year, for the assessors have not yet made return of their assessment to the county court, and at any time prior to the delivery of the tax-book to the collectors a poll-tax can be added which would be collected this year. If such a legislation shall take place, I advise bonds be issued having a short time only to run—say nine or twelve months, and that it should be provided the money arising from the payment of the poll-tax shall be exclusively applied to the payment of said bonds, and the interest on the same until the entire loan shall be paid.

The Government of the United States holds twenty coupon bonds of this State dated May 24, 1851, payable in five years after their date, bearing interest at the rate of



six per cent. per annum. It is stated these bonds are numbered 93 to 112, inclusive, and that the coupons due July 1, 1855, and thereafter are attached.

These bonds have been due for more than twenty years, and the interest upon them since they have become due exceeds the principal. The State authorities, prior to this date, have recognized these bonds as genuine, but have required the Legislature shall direct their payment because of the length of time they have been outstanding. I refer for further information to the message of my predecessor, and also papers herewith submitted, showing that in consequence of the nonpayment of these bonds the five per cent. of the net proceeds of the sales of the public lands within this State, and the swamp land indemnity to which this State may be entitled, will be withheld by the United States till provision for the payment of these bonds shall be made.

I recommend that the Fund Commissioners of the State be directed to pay these bonds, principal and interest, out of any money which may be in the sinking fund. The authorities of the United States would, no doubt, at the request of those officers, forward these bonds to the Assistant Treasurer at St. Louis for examination, and payment might be made at St. Louis, if the bonds are genuine.

More than nineteen years had elapsed since the last payment of interest was made on these bonds, till the authorities of this State were notified the Government of the United States was the owner and holder of them. There is no doubt payment of them would have been made by the State if they had been presented at the treasury at the time they were due, or shortly thereafter.

The Constitution provides "all revenue collected and moneys received by the State *from any source whatever*, shall go into the treasury, and the General Assembly shall have no power to divert the same, or to permit money to be drawn from the treasury, except in pursuance of regular



section 19, article 10, it is claimed, every law making an appropriation shall distinctly specify the sum appropriated.

There has been paid into the treasury within the last two years the sum of \$20,923 for fees and assessments collected by the Superintendent of the Insurance Department of the State, besides other large sums sufficient to defray the expenses of the department, including the expenses of the clerical and actuarial force in the same, rents, fuel, stationery, and pay for legal services rendered the department.

The act establishing the department directed the expenses of the department should be paid out of the fees and assessments provided for in the act, but the moneys which may be collected after the first of July, and those which may be collected prior to that date, if you shall so legislate, must be paid into the treasury. Hence a specific sum ought to be appropriated to defray all the expenses of the Insurance Department, and to be paid out of the Insurance Department Fund.

So with the Penitentiary; the proceeds arising from the labor of the convicts will now be paid into the treasury. At this time the proceeds of the labor of the convicts is expended without any specific sum being named in the support of the Penitentiary. The amount received from this source to first of January last from the time the State took from the lessees the Penitentiary, is \$32,002. In addition to the amounts which it is proposed to appropriate for the support of the Penitentiary, all of the proceeds of the labor of the convicts will be required.

I therefore recommend a specific sum be named sufficiently large to cover the earnings of the convicts, and that the same be paid out of the proceeds arising from the labor of convicts.

JOHN S. PHELPS.

Executive Office, March 20, 1877.



*TO THE SENATE*

MARCH 26, 1877

*From the Journal of Executive Business, p. 177*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI,  
March 26, 1877.

*To the President of the Senate:*

Sir—I nominate Charles H. Hardin, of Audrain County, to be a member of the Board of managers of the State Lunatic Asylum, at Fulton, in place of C. O. Atkinson resigned, and request the senate will advise and consent to said appointment.

Very Respectfully,

JOHN S. PHELPS.

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*TO THE SENATE*

APRIL 19, 1877

*From the Journal of Executive Business, p. 178*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI,  
April 19, 1877.

*Senators:*

I nominate Silas Burt, Joseph O'Neil, D. Robert Barclay, S. Pollak, Thomas E. Tutt, and N. B. Thompson, of the City of St. Louis; and H. Clay Ewing, of the county of Cole, to be Trustees of the "Missouri Institution for the Education of the Blind," and request the Senate to advise and consent to their appointment.

Very Respectfully

JOHN S. PHELPS.



*TO THE SENATE*

APRIL 19, 1877

*From the Journal of Executive Business, p. 178*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI,  
April 19, 1877.

*Senators:*

I nominate and appoint as curators of the State University, James S. Rollins, John S. Clarkson, and John Hinton of Boone county; Henry M. Middlekamp of Warren county; Alexander M. Dockery of Davis county; William E. Glenn and Samuel H. Headlee of Phelps county; Albert Todd of the City of St. Louis, and Jerry C. Cravens of Green county, and request the senate to confirm said appointments.

Very Respectfully,  
JOHN S. PHELPS.

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*TO THE SENATE AND THE HOUSE OF  
REPRESENTATIVES*

APRIL 23, 1877

*From the Journal of the House of Representatives, pp. 1023-1024*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
April 23, 1877.

*Senators and Representatives:*

In recommending the loan of \$250,000, which has been authorized to be made, I then informed the Legislature that that sum would be insufficient to meet the present necessities of the government. At this time the Treasurer informs me there is no money in the revenue fund, and though the Auditor may draw his warrants on the treasury, they cannot now be paid. I then recommended to the Legislature additional taxation for the purpose of being able to meet the



payment of the bonds when they should fall due, and if such taxation shall take place this year, I propose some of the bonds shall have less than two years to run, and that the money received on account of the poll-tax shall be applied as soon as possible to the payment of a part of those bonds, and thereby relieve the State of the payment of interest.

I trust the Legislature will not adjourn without making provision for additional revenues till the temporary indebtedness shall be liquidated, and if the mode of taxation recommended does not meet with the approval of the Legislature, I trust some other source of revenue will be found. By the adoption of the scheme and charter, the relation of the city of St. Louis to this State is materially changed, and consequently new legislation is required to provide for the new relation.

We now have as executive officers, and attending upon the courts in the city of St. Louis to execute their process and orders, the sheriff and marshal of the city of St. Louis. I submit to you whether the law relating to sheriffs and marshals does not require some change. Should not the Statute referred to be amended, and the duties of the marshal and sheriff of the city of St. Louis be more clearly defined?

And, again, should not the law in relation to writs, original and judicial, be modified so that those which are to be executed in the city of St. Louis shall be directed as may be defined to either the sheriff or the marshal of the city of St. Louis? And sometimes the coroner is required to perform the duties of sheriff and also of marshal, and I submit to you whether the statute concerning coroners does not require additional legislation because the coroner of the city of St. Louis is a city and not a county officer. And, again, the scheme by which the city and county were separated does not provide for a marshal for the county, and ought not the statute to be changed to correspond with the scheme? Surely the sheriff is sufficient to execute all process which may be issued to St. Louis county.

Whilst the General Assembly has the same power over



and counties, the city of St. Louis, unlike other cities, has Representatives in the General Assembly and is required to collect the State revenue and perform all other functions in relation to the State in the same manner as if it were a county. Under the provisions of the Constitution it may be contended the city has ample power by virtue of the provisions of its charter to provide for the assessment and collection of the State revenue without further legislation; but I think further legislation necessary.

The greater part of the revenue of the State is collected by county officers. County courts and their clerks have much to do with the collecting of the revenue; but the city of St. Louis has no county court nor court corresponding in its functions with those duties performed by county courts. Hence, duties heretofore performed pertaining to the assessment and collection of the revenue in the city of St. Louis by the county court of that county and the clerk of that court must now be performed by other and different officers, by officers of the city government. In the charter of the city it is provided the register shall perform such duties as were performed by the clerk of the county court, and the comptroller is required to perform such duties as were performed by the county court pertaining to the collection of the revenue.

In this changed relation of the city of St. Louis to the government of the State, I recommend provisions be made that city officers shall discharge the duties necessary to be performed in the assessment and collection of the revenue. Legislation commencing with provision for the assessment of the revenue, providing for a board of equalization, and for some one to hear appeals from erroneous assessments and for collection of the revenue, and that we shall by our legislation require bond from the collector for the faithful performance of his duty, seem to be absolutely demanded; much revenue is received from licenses which are required to enable parties to engage in the following named pursuits: Auctioneers, keeping billard tables for public use, keepers of dramshops and beer houses, keepers of ferries, peddlers



and merchants. Licenses for such purposes were issued by the clerk of the county court and by the county court of St. Louis county itself.

By the provision of the charter of the city, licenses will be granted and issued for the city by the register and comptroller, the one performing the duties heretofore performed by the clerk—the other the duties which were performed by the county court.

I recommend the issuing of licenses be confided by suitable legislation to the aforesaid city officers, and the collector be required to collect the revenue due thereby.

I am informed much of the legislation which I think is required is provided for in bills now pending in the General Assembly. I furthermore recommend you provide the general law for the assessment and collection of the revenue shall prevail in the county of St. Louis, and not the laws which were specially provided for St. Louis county when the city of St. Louis was a part of the county.

JOHN S. PHELPS.

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## TO THE SENATE

APRIL 25, 1877

*From the Journal of Executive Business, p. 179*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI, April 24, 1877.

*Senators:*

I nominate and appoint Silas Woodson as manager of State Lunatic Asylum No. 2, in place of Elijah H. Norton, resigned, and request the senate to advise and consent to said appointment.

Very Respectfully,

JOHN S. PHELPS.



*TO THE SENATE*

JULY 16, [JANY.?] 1877

*From the Journal of Executive Business, p. 166*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, July 16, 1877.

*To the Senate:*

I have the Honor to nominate David S. Hooper of Adair County (whose term of office expired in the 1st inst) to be Regent for Normal School District no one. I also nominate W. B. Hays of Schuyler County to be Regent for the Normal School District No one in place of Bartlett Anderson whose term of office expired on the 1st instant. And I request the advice and consent of the senate to their appointment.

Very Respectfully  
(Signed) JOHN S. PHELPS

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*TO THE SENATE*

JANUARY 17, 1879

*From the Journal of the Senate, p. 53*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 17, 1879.

*Hon. Henry C. Brockmeyer, President of the Senate:*

Sir—I have the honor to submit herewith to the Senate, the eleventh biennial report of the Missouri Institution for the Education of the Blind; also, the report of the Board of Railroad Commissioners for the year ending December 31st, 1878, and the biennial report of the Register of Lands.

Very respectfully,

JOHN S. PHELPS.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 17, 1879

*From the Journal of the House of Representatives, p. 84*

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 17, 1879.

*Hon. J. Edward Belch, Speaker of the House of Representatives:*

Sir—I have the honor to submit herewith to the House of Representatives the report of the Board of Railroad Commissioners for the year ending December 31, 1878, and the biennial report of the Register of Lands.

Very respectfully,

JOHN S. PHELPS.

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## TO THE SENATE

JANUARY 20, 1879

*From the Journal of the Senate, p. 62*

EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, January 20, 1879.

*Hon. Henry C. Brockmeyer, President of the Senate:*

Sir—I have the honor to submit to the General Assembly, the report of the Superintendent of Public Schools made to me last January, in compliance with the provisions of the 68th section of the act for the organization, supervision and maintenance of common schools.

Very respectfully,

JOHN S. PHELPS.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1879

*From the Journal of the House of Representatives, pp. 131-133*

EXECUTIVE OFFICE, CITY OF JEFFERSON, January 21, 1879.

Sir—It is provided “the State Treasurer shall, immediately after his election or appointment, execute and deliver to the Governor a bond to the State in the sum of



one million dollars, with no less than ten securities, to be approved by the Governor, conditioned for the faithful performance of all the duties required, or which may be required of him by law, and for the safety of the State's funds and securities in his custody, which bond shall be renewed every two years." At the time this law was enacted, the term of office of the Treasurer was only two years. It was further provided that if the Treasurer shall fail to give his official bond, as required by law, within sixty days from the day he shall receive his certificate of election or appointment, his office shall thereby be forfeited. The State Treasurer did give his official bond on the 8th day of January, 1877, which is the date of his commission, and within sixty days from the day he received his certificate of election; and therefore his office cannot be declared forfeited. The statute further provides, to relieve all doubt, that "the securities of any treasurer, or auditor, shall be held responsible for all acts of their principal till his successor is elected or appointed, commissioned and qualified." The State Treasurer has presented to me a bond for my approval. I cannot approve it, although the sureties justify, in the aggregate, to more than one million of dollars, for only a small portion of the means of one of the wealthiest sureties is within the jurisdiction of this State. Hence, if the State should seek redress from the sureties, it might be compelled to go to other jurisdictions to prosecute its suits.

This bond is presented in renewal of the bond given when he entered on the discharge of his duties as Treasurer. I have no power to compel the Treasurer to renew his bond. I have delayed making a communication of this important matter to the General Assembly, because I have expected a bond, with good and sufficient sureties, would be tendered for my approval. According to the terms of the law, the office is not forfeited, nor is there a vacancy. The office is not forfeited, because it is not declared if the Treasurer shall fail to renew his official bond at the expiration of two years, the office shall be forfeited. This law was made



to require a new bond when a Treasurer should be re-elected, and since the tenure of the office of Treasurer has been enlarged, with immediate ineligibility, the law has not been changed to meet such exigency.

Additional legislation is requisite to accomplish the object intended. The Treasurer's bond should be renewed at least every two years, and oftener if the surety shall become inadequate. The penalty for not renewing the official bond at the expiration of two years, or when the sureties shall have died, removed from the State, or become insolvent, and a new bond shall be required, should be removal from office, and this to be done with the advice of the Attorney-General, or the advice of a Judge of the Supreme Court.

A bond with a smaller penalty than one million dollars—perhaps in the sum of from \$500,000 to \$750,000—would be amply sufficient to insure the faithful performance of the duties of State Treasurer, and to secure the State from loss, provided there were suitable and proper laws to enforce the provisions of the 15th section of the 10th article of the Constitution, and provided also, that the Public School Fund and the Seminary Fund of the State shall be made safe in the manner recommended by me in my message, or in some other equally secure manner. It is a difficult matter to give security for one million of dollars, and a bond for a less amount may be good security to the State for the moneys which may be in the custody of the State Treasurer. I hope the General Assembly will speedily legislate on this subject and prescribe how the moneys of the State shall be deposited with banks, and the kind of security which shall be required, and whether the penalty of the bond of the Treasurer shall be of less amount than now prescribed, and also when the office of Treasurer shall be forfeited.

In my opinion, the deposit of the money of the State with banks, with or without interest, except a small amount for the purpose of paying creditors in distant parts of the State, is bad policy; but it is a constitutional requirement, and must be obeyed.

JOHN S. PHELPS.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 23, 1879

*From the Journal of the House of Representatives, pp. 139-140*

EXECUTIVE OFFICE, CITY OF JEFFERSON, January 23, 1879.

Sir—I have the honor to submit to the General Assembly, in compliance with the provisions of the eighth section of the fifth article of the Constitution, a full list of all persons to whom pardons, reprieves or commutations of punishment have been granted by me from the 8th day of January, 1877, to the 1st day of January, 1879. It is provided that when any convict shall have behaved to the full satisfaction of the Inspectors, according to the rules and regulations of the prison, at the expiration of three-fourths of the time for which such person was sentenced, the Inspectors shall “write and sign a testimony” to that effect, with a recommendation such person be pardoned, which shall be presented to the Governor. The regulation is wise and beneficent. The reward for compliance with the prison regulations, and meritorious conduct, is a diminution of the term of imprisonment. Seldom are pardons refused at the expiration of three-fourths of the term for which the convict is sentenced, when the pardon is recommended by the Inspectors of the Penitentiary. Upon the recommendation of the Inspectors, and in accordance with the provisions of the law, I have granted 969 pardons during the time aforesaid. I have commuted the punishment of death in four cases to imprisonment in the Penitentiary. I have granted twenty-two pardons to persons confined in jails and work houses, and have granted ninety-three full pardons. Lieut. Gov. Brockmeyer, whilst I was absent from the State, granted ten pardons. A list of the persons who have been the recipients of clemency, with reasons for granting same, is herewith submitted.

Very respectfully,

JOHN S. PHELPS.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1879

*From the Journal of the House of Representatives, p. 174*

EXECUTIVE OFFICE, JEFFERSON CITY, January 28, 1879.

*Hon. J. Ed. Belch, Speaker House of Representatives:*

Sir—I have the honor to submit the first report of John Reid, Esq., Fish Commissioner of this State, showing what measures have been taken to increase the supply of food-fish in the streams of this State. I am of opinion a larger sum of money can be profitably expended in stocking the streams of our State with fish, than was appropriated for that purpose.

Very respectfully,

JOHN S. PHELPS.

## TO THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1879

*From the Journal of the House of Representatives, p. 183*

EXECUTIVE OFFICE, JEFFERSON CITY, January 28, 1879.

*Hon. J. Ed. Belch, Speaker of the House of Representatives:*

Sir—I have the honor to submit to you a report from the Board of Managers of State Lunatic Asylum No. 2, announcing the total destruction of that Asylum on the 25th inst., by fire.

More than two hundred patients were in the Asylum at the time of the destruction, and, at the present time, these people are dependent on the charity of the citizens of St. Joseph for shelter and support. This is not the time to consider the question of rebuilding that Asylum. We must, first, provide for the health and comfort of these



quired. The act of 1875 prohibits the officers having control of educational, eleemosynary or other public institutions belonging to the State, from contracting, for the use of such institutions, any debt for which there shall not be, at the time, any adequate appropriation. The appropriation for the support of that Asylum is already exhausted, and therefore, the managers are prohibited from making contracts for the care, support and protection of these people. I recommend an appropriation be made for the immediate relief of those who were inmates of the Asylum at the time of its destruction.

Perhaps some of those patients may be taken care of at the Asylum at Fulton. It may be advisable to send another portion of them to their homes, and others may be taken care of at St. Joseph. Justice and humanity demand prompt action. A committee of the Board of Managers of that Asylum is in this city, and will be glad to furnish any further information which may be required.

Very respectfully,

JOHN S. PHELPS.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1879

*From the Journal of the House of Representatives, p. 204*

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EXECUTIVE OFFICE, JEFFERSON CITY, January 31, 1879.

*Hon. J. Ed. Belch, Speaker House of Representatives:*

Sir—I have the honor to submit herewith reports of the Adjutant-General of this State, for the years ending December 31, 1877, and December 31, 1878.

Very respectfully,

JOHN S. PHELPS.



## TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 1879

*From the Journal of the House of Representatives, p. 255*

EXECUTIVE OFFICE, CITY OF JEFFERSON, February 5, 1879.

*Hon. J. Ed. Belch, Speaker House Representatives:*

Sir—I have the honor to submit the enclosed estimate of the contingent expenses of the office of Governor for the years 1879 and 1880, in reply to the resolution of the House of Representatives, adopted on the 31st ult. The business of the office is increasing and that brings slightly increased expenditure. It is impossible to foretell exactly what expenditures, and how much, will be required. No money will be expended under this head of appropriation, except that which will be absolutely necessary.

Very respectfully,

JOHN S. PHELPS.

Estimate of contingent expenses of Governor for the years 1879 and 1880:

Postage.....	\$320.00
Janitor, under the present management.....	420.00
Telegraph dispatches.....	180.00
Traveling expenses of self, and others, on business of State	200.00
Ice.....	40.00
Repairs of Furniture, (books, probably).....	30.00
Total.....	\$1,190 00

JOHN S. PHELPS.



## TO THE SENATE

FEBRUARY 11, 1879

*From the Journal of Executive Business, p. 189*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 11, 1879.

Sir—I nominate:—

Joseph K. Rogers, of Boone Co.

John Walker of Howard Co. and

Wm. E. Glenn of Phelps Co. to be Curators of  
the State University for the term of six years;

I nominate

Chas. C. Bland, of Phelps Co.

(Vice Headlee, resigned)

Wm. H. Lackland, of the City of St. Louis,

(Vice Perry, resigned),

to be curators of the State University for the term of 2  
years, and I request the consent of the Senate to their  
appointment.

Very Respectfully,

JOHN S. PHELPS.

To Hon Hy C Brockmeyer  
President of the Senate

## TO THE SENATE

FEBRUARY 11, 1879

*From the Journal of Executive Business, p. 190*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 11, 1879.Sir—I hereby appoint James C. Nidelet and Wm. M.  
Ladd of the City of St. Louis to be Police Commissioners  
of the City of St. Louis for the term of 4 years, and David



H. Armstrong of the City of St. Louis to be a Police commissioner of the City of St. Louis for the term of 2 years.

And I do hereby request the advice and consent of the Senate to their appointment.

Very Respectfully

JOHN S. PHELPS.

To Hon. H. C. Brockmeyer  
President of the Senate

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TO THE SENATE

FEBRUARY 12, 1879

*From the Journal of Executive Business, p. 190*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 12, 1879

Sir—I nominate:—Dr. E. M. Kerr, (Vice McFarlane resigned),

Philip E. Chappell, (Vice Atkinson resigned),

James H. Yureman, (Vice Richenbaugh, resigned),  
to be managers of the State Lunatic Asylum at Fulton, all  
for the term ending 6th of Feb. 1881, and I respectfully  
request the advice and consent of the Senate to their ap-  
pointment.

Very Respectfully

JOHN S. PHELPS.

To Hon H C Brockmeyer  
President of the Senate

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TO THE SENATE

FEBRUARY 14, 1879

*From the Journal of Executive Business, p. 192*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 14, 1879.

Sir—I do hereby appoint John E. Ryland, of LaFayette County and A. W. Rogers of Johnson County Regents for Normal School, District No 2 for the term of 6 years, ending



on the 1st of January 1885. And I respectfully ask the advice and consent of the Senate to their appointment.

Very Respectfully

JOHN S. PHELPS.

To Hon. H. C. Brockmeyer  
President of the Senate

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TO THE SENATE

FEBRUARY 18, 1879

*From the Journal of Executive Business, p. 192*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 19, 1879.

Sir--I nominate John M. Oldham, of Adair County and J. M. McKim of Knox County to be regents of State Normal School No 1, at Kirksville for the term expiring 1st of January 1885 and I respectfully ask the advice and consent of the Senate to their appointment.

Very Respectfully

JOHN S. PHELPS.

To Hon Henry C Brockmeyer  
President of the Senate

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TO THE SENATE

APRIL 14, 1879

*From the Journal of Executive Business, p. 197*

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EXECUTIVE OFFICE. JEFFERSON CITY, MISSOURI, April 14, 1879.

Sir—I nominate Lt. Col. Charles W. Squires to be a Brigadier General of the National Guards of this State, and I respectfully request the Senate to advise and consent to his appointment.

Very Respectfully

JOHN S. PHELPS.

Hon. H C Brockmeyer  
President of the Senate



*TO THE SENATE*

APRIL 16, 1879

*From the Journal of Executive Business, p. 198*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, April 16, 1879.

Sir—I nominate Leslie A. Moffett and John D. Finney to be Police Commissioners of the City of St. Louis, each for the term ending on 1st of January 1883, the first named in place of John G. Priest, and the other in place of Jas. C. Nidelet, whose terms of office have expired.

I respectfully ask the Senate to advise and consent to their appointment.

Very Respectfully

JOHN S. PHELPS.

Hon. H C Brockmeyer  
President of the Senate

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*TO THE SENATE*

APRIL 16, 1879

*From the Journal of Executive Business, p. 199*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, April 16, 1879.

Sir—I nominate Richard M. Scruggs of the City of St. Louis to be a Trustee of the Missouri Institution for the Education of the Blind to fill the vacancy occasioned, by the resignation of Silas Bent to hold for the residue of the unexpired term, till the 27th of February 1881. I respectfully request the advice and consent of the Senate to his appointment.

Very Respectfully,

JOHN S. PHELPS.

Hon H C Brockmeyer  
President of the Senate



*TO THE SENATE*

APRIL 16, 1879

*From the Journal of Executive Business, p. 200*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, April 16, 1879.

Sir—I nominate Ashley W. Ewing, of Cole County as a member of the Board of Regents for Normal School District No 2 for the term ending 1st January 1881, to fill the vacancy occasioned by the removal from the State of Samuel Martin; and I request the advice and consent of the Senate to his appointment.

Very Respectfully,

JOHN S. PHELPS.

Hon H C Brockmeyer  
President of the Senate

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*TO THE SENATE AND THE HOUSE OF  
REPRESENTATIVES*

APRIL 22, 1879

*From the Journal of the Senate, pp. 593-597*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, April 22, 1879.

*Senators and Representatives:*

On the first day of June next \$250,000 revenue bonds in this State will become due, which were issued in pursuant of a law enacted by the last Legislature. Shortly after my inauguration, I discovered large liabilities had been incurred during the preceding two years, in excess of the appropriations made for that purpose. These liabilities had not been improperly incurred, and no doubt would have been paid if the money appropriated for such objects had not been already exhausted. To provide for the payment of these liabilities, "An act to appropriate money for the



deficiencies in the appropriations for the years 1875 and 1876" was passed, and the sum of \$269,567.96 was appropriated for that purpose. In consequence of these and other existing liabilities the loan for \$250,000 was authorized. A larger sum would then have been asked for, but for the constitutional prohibition. These bonds are payable out of the revenue fund, and there is not, and will not be, money in the Treasury wherewith to pay them. I therefore recommend provision be immediately made for the issue of \$250,000 coupon bonds, due and payable within two years from their date, with interest at the rate of 6 per cent. per annum, payable semi-annually, and that the said bonds or their proceeds be exchanged for the outstanding revenue bonds, and that \$250,000 be appropriated for that purpose.

By an act of the Legislature, approved on the 15th March last, provision was made that the Treasurer should, within thirty days from that date give a new bond, with sufficient securities, or vacate his office. That act provided the bond should be for \$500,000, whilst the law which was in force when he first entered on the discharge of his duties as Treasurer required a bond for \$1,000,000. The number of sureties—not less than ten—is prescribed by the former and present laws. On Saturday evening, the 12th inst., the Treasurer presented to me his bond for approval. There were twelve sureties on his bond, and each has justified, in the manner required by law, "that he was worth the amount set opposite his name, after the payment of all debts, for which he is in anywise bound or liable." With some of the sureties I had no personal acquaintance, nor had I any personal knowledge of the property they owned, its nature, where situated, or their liabilities. Nor does the law provide any means whereby the Governor can investigate such matters. If the bond had not been approved on or before the 14th inst., the office of Treasurer, by the terms of the law, would have become vacant. One or two of the sureties justified in this city. The sureties swore they were worth sums which aggregated \$615,000 or \$115,000 in excess of the amount required by the law.



Upon the evidence presented to me, which was their own affidavits, I pronounced the sureties good and sufficient. I approved of the bond on Monday, the 14th inst., and it is on file in the office of the Secretary of State.

The names of the sureties, and the sums they severally swore they were worth, are as follows:

Calvin F. Burnes.....	\$300,000.00
Alex. Young.....	20,000.00
John J. Daly.....	10,000.00
Quintus Price.....	20,000.00
William Carter.....	75,000.00
L. N. Crawford.....	35,000.00
Hugh L. Fox.....	50,000.00
Thos. Thoroughman.....	20,000.00
Jno. R. Farrar.....	25,000.00
Fielding Burnes.....	40,000.00
C. H. Lamar.....	5,000.00
Tennessee Matthews.....	15,000.00

It is necessary to reduce the expenditures of the State, or to increase its revenues, or to do both. The revenue is not adequate to defray expenses of the State government, liquidate its indebtedness, payable from the revenue fund, and to provide for such casualties as may occur. The rebuilding of the Lunatic Asylum is required by justice and humanity. The outstanding revenue bonds should not be renewed after this year. If the Legislature should levy a poll-tax, it can be collected this year, and enable a portion of these bonds to be paid before the expiration of two years, and work to be commenced on the asylum this year, and, if not completed this year, to be completed at an early period next year. There will be greater delinquencies in the collection of the poll-tax than in the collection of a tax on property, and this delinquency should be considered. If the Legislature will impose a poll-tax of one dollar on every male person of the age of twenty-one and upwards, the revenue bonds can be liquidated within the ensuing two years, and the treasury be relieved of its other embarrassments.



The Treasurer, in his biennial report, stated that there was a balance in treasury on the first of January last, of \$472,465.92, which belonged to the following funds:

State Revenue Fund.....	\$177,418.06
State Interest Fund.....	156,039.79
State School Fund.....	457.11
State School Moneys.....	120,828.48
State Seminary Fund.....	95.08
State Library Fund.....	1,355.30
Redemption of Land Fund.....	9.58
Insurance Department Fund.....	2,964.29
Road and Canal Fund.....	412.49
Executor's and Administrator's Fund.....	12,885.74
	<hr/>
	\$472,465.92

And deposited and held as follows:

Bank of Commerce, St. Louis.....	\$122,303.37
National Bank, State, St. Louis.....	3,045.25
The Mastin Bank, Kansas City.....	286,187.80
Deposited with Reid and Chrisman.....	5,000.00
Clinton County Bonds, (in vault).....	49,000.00
Wolf scalp certificates, (in vault).....	4,432.00
Currency, (in vault).....	2,497.50
	<hr/>
	\$472,465.92

The only sums available at that date were the deposits in the Bank of Commerce—\$122,303.37—and the currency in vault—\$2,497.50—making \$124,800.87. The other items in the last statement are not available. The money deposited in the Mastin Bank is money deposited by the Treasurer to his own credit, and a portion of it deposited when the bank was said to be in failing circumstances. The transactions of the Treasurer with that bank have been so managed and conducted that the whole claim of Col. Gates against that bank is in dispute, and has recently been disallowed by the assignee of said bank. It is just to state that an appeal has been taken by Col. Gates from this decision. If that bank was used merely as a place of deposit of money by Col. Gates, it is singular that his account against the bank should be disputed. With respect to another item of \$49,000 Clinton County Bonds. I am not



yet advised that the State is the owner of them. I am informed these bonds came from the bank of St. Joseph—a bank at all times solvent—and why county bonds should be received in his transactions with that bank, with the expectation the State will take them as cash, I cannot imagine. But the following sums were not, nor are they now, available:

National Bank, State, St. Louis.....	\$3,045.25
Mastin Bank, Kansas City.....	286,187.80
Deposited with Reid and Chrisman.....	5,000.00
Clinton County Bonds.....	49,000.00
Total.....	<hr/> \$343,233.05

This amount of \$343,233.05, in my opinion, will not be available during the next twelve months, and probably not then. It matters but little to what fund it belongs. The money belongs to the people—was collected from them—and its place must be supplied by other money collected from them. If this sum belongs to the interest fund, then it could now be applied to the payment of \$340,000 of the bonds of the State, and stop interest on that sum, amounting to more than \$20,000 annually. If any portion of that sum belongs to the revenue fund, then that fund is embarrassed to that extent. And if the same shall not be paid by the Treasurer and his sureties, and if it cannot be collected by law, then have the people lost that sum of money.

Since the Treasurer has given a new bond, a settlement should be made between the Treasurer and the State. Difficulties may arise which can now be avoided. The sureties on the bond first given by the Treasurer are liable for any delinquency, neglect or misconduct of the Treasurer, which occurred prior to the approval of the new bond, and if the money for which the Treasurer is accountable shall not be adjusted and paid to the State, I advise authority be given that a suit be commenced, on that bond, against the Treasurer and all his sureties. But whether this shall be done or not, it is proper the sureties on the new bond shall know for what sums of money they are responsible,



and therefore justice requires that this settlement shall be speedily made. The matter rests with you to have this settlement made, as does also the authority to commence suit against the Treasurer on his bond. I have no authority in the premises, nor has any other executive officer such authority.

The State has received from time to time, and probably will receive, money on account of the sale, by the government of the United States, of lands which had been duly and properly selected as swamp land. Such lands were granted by the United States to this State, and the State donated the lands to the counties in which they were situated. The law requires the Register of Lands to pay the money he may receive into the State treasury, to the credit of the county to which said money belongs. And the law provides the Treasurer shall pay said money to the county entitled thereto. This law was enacted many years ago, and has been abrogated by the 19th section of the 10th article of the Constitution, which provides: "No moneys shall ever be paid out of the treasury of this State, or any of the funds under its management, except in pursuance of an appropriation; nor unless such payment be made or a warrant shall have issued therefor within two years after the passage of such appropriation act." I recommend the sum of \$20,000 or so much thereof as may be necessary, be appropriated for the purpose of paying to the counties entitled thereto such sums of money as may be paid into the State treasury by the government of the United States as indemnity for swamp land sold by the United States. I also advise this appropriation be made available immediately, as there is some money which can be paid now to some counties.

I hope the legislature will not adjourn without reducing costs in criminal cases. I can but reiterate the opinion I expressed in my message at the commencement of this session of the legislature, except to advise that where persons shall be confined in jail before or after trial, the expenses of the support of the prisoner in jail shall be borne



by the county wherein the prosecution was commenced. Such a course will throw upon counties a burden now borne by the State, but will have a tendency to reduce those expenditures.

JOHN S. PHELPS.

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TO THE SENATE

APRIL 22, 1879

*From the Journal of the Senate, p. 602*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, April 22, 1879.

*Hon. H. C. Brockmeyer, President of the Senate:*

Sir—I have the honor to submit herewith the report of the Fund Commissioners of this State, which was presented to me by them on yesterday

Very respectfully,

JOHN S. PHELPS.

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TO THE SENATE

MAY 5, 1879

*From the Journal of Executive Business, p. 200*

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EXECUTIVE OFFICE, JEFFERSON CITY, May 5, 1879.

Sir—I respectfully nominate the following named persons of Buchanan County to be managers of State Lunatic Asylum No 2 for the term ending on the 1st Day of March 1882:

Rufus L. McDonald, A. H. Vories, John Doniphan, J. Malin, Edward A. Donelan, Jas. H. R. Cundiff, Silas Woodson.

Messrs. Malin and Donelan are now practitioners of medicine.

Very Respectfully

JOHN S. PHELPS.

Hon H C Brockmeyer  
President of the Senate



*TO THE SENATE*

MAY 19, 1879

*From the Journal of Executive Business, p. 201*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, May 19, 1879.

Sir—I nominate Andrew McKinley of the City of St. Louis to be State Superintendent of Immigration, Henry Clay Dean of Putnam County and John M. Richardson of Jasper County to be Commissioners of Immigration;

Said persons to hold their respective offices for the term of 4 years from the 1st day of January 1879. I respectfully ask the advice and consent of the Senate to their appointment.

Very Respectfully

JOHN S. PHELPS.

Hon H C Brockmeyer  
President of the Senate

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*TO THE HOUSE OF REPRESENTATIVES*

MAY 19, 1879

*From the Journal of the House of Representatives, p. 1638*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, May 19, 1879.

*Hon. J. Ed. Belch, Speaker House of Representatives:*

Sir—In compliance with the request of the House of Representatives of this date, I have the honor to transmit herewith House bill No. 119.

Very respectfully,

JOHN S. PHELPS.



## TO THE SENATE

JANUARY 8, 1881

*From the Journal of the Senate, p. 39*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, January 8, 1881.

Sir—I have the honor to submit herewith the report of the Commissioners who were appointed by me to superintend the rebuilding and refurnishing the Lunatic Asylum at St. Joseph, accompanied by a report of S. V. Shipman, the architect. The Commissioners recommend the farther appropriation of \$5,000 for completing and fitting some rooms in the fourth story of said building. The sum named, I think, is reasonable and proper.

The Commissioners have also filed in the Executive office, in compliance with said act, the books of accounts, showing the receipts and disbursements on account of said building, with vouchers therefor, bids, contracts and bonds for the performance of the contracts, which are subject to the inspection and orders of the Legislature.

Very respectfully,

JOHN S. PHELPS.

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## TO THE SENATE

JANUARY 8, 1881

*From the Journal of the Senate, p. 39*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, January 8, 1881.

Sir—I have the honor to transmit herewith to the General Assembly the Biennial Report of Hon. James E. McHenry, Register of Lands, showing the transactions of his office during the years 1879 and 1880.

Very Respectfully,

JOHN S. PHELPS.



*TO THE SENATE*

JANUARY 10, 1881

*From the Journal of the Senate, p. 43*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, January 10, 1881.

Sir—I have the honor to submit the report of the Adjutant and Acting Paymaster-General Mitchell, made to me of his action in the premises in requesting, on behalf of this State, that the Secretary of the Treasury shall, in compliance with the act of Congress, approved January 27th, 1879, duly consider and report the amount which may be found due to this State, on account of military services rendered in concert with the troops of the United States in the suppression of the late rebellion.

Very respectfully,

JOHN S. PHELPS, Governor.

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*TO THE SENATE*

JANUARY 10, 1881

*From the Journal of the Senate, p. 43*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, January 10, 1881.

Sir—I have the honor to transmit the report made by the State Auditor to me, showing the condition of the State Interest and Sinking Funds on the first inst. Also, the amount of the bonded debt of the State, the date when the different series of the bonds will become due, and the year in which portions of the debt may be redeemed.

Very respectfully,

JOHN S. PHELPS, Governor.



## PROCLAMATIONS

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### OFFERING A REWARD

JANUARY 23, 1877

*From the Register of Civil Proceedings, 1874-1878, pp. 346-347*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.  
January 23, 1877.

WHEREAS, it has been made known to me that John Lawrence, sentenced to death, C. C. Thompson and Alexander Broughton, indicted for the crime of murder committed upon the body of ——— Sullivan in Buchanan county Mo. William Johnson, charged with robbery, John Sullis, charged with grand larceny, and James Martin, charged with grand larceny were confined in the jail of Buchanan county.

AND, WHEREAS, it has further been made known to me that the said parties, on the night of the nineteenth day of January, 1877, did break prison, and are now at large, and have fled from justice. NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, do hereby offer the following rewards for the arrest and delivery of said fugitives to the sheriff of Buchanan county:

For said John Lawrence, Three hundred dollars; For said C. C. Thompson and Alexander Broughton, each, the sum of Two hundred and fifty dollars; For said William Johnson, John Sullis and James Martin each the sum of Two hundred dollars; said reward to be paid upon the production of the receipt of the sheriff of said Buchanan county for the bodies respectively of said fugitives.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson this 23rd day of January A. D. 1877.

JOHN S. PHELPS.

By the governor,  
MICHL. K. McGRATH  
Secy of State

### Description of fugitives:

John Lawrence is about 26 years of age 6 feet one inch high, dark complexion, dark brown hair and blue eyes; is a native of Ohio.

C. C. Thompson is about 5 feet 6 inches high, round face, dark complexion, black eyes and black hair, heavy eyebrows. William Johnson is about 27 years old, 5 feet 6 inches high, dark complexion, dark hair and black eyes, rather thin faced with high forehead; a native of Ohio, and by occupation a shoemaker.

Alexander Broughton is about 30 years of age 5 feet 8 inches high, light complexion, blue eyes, light hair, heavy moustache, very high forehead full temples and prominent cheek bones;

John Sullis is about 22 years of age, dark hair blue eyes, low forehead, large light moustache, rather coarse man, about 5 feet 9 inches high, German descent. James Martin is about 34 years old, about 5 feet 10 inches in height, light hair, grey eyes, sandy complexion red chin whiskers and moustache, with right arm off below the elbow. A native of England.



## OFFERING A REWARD

MAY 8, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 387*

WHEREAS, Richard Henson and Jane Adison, alias Jane Henson, stand charged by indictment in the circuit court of St. Charles county Missouri, with the murder of William Adison on or about the tenth day of October A. D. 1876, and Whereas, the said Richard Henson and Jane Adison alias Jane Henson, are now at large and fugitives from justice, and cannot be arrested by ordinary criminal process, Now Therefore: I, John S. Phelps, governor of the state of Missouri, by virtue of the authority of law in me vested, do by this my proclamation offer a reward of One hundred dollars for the arrest and delivery of each of the aforesaid fugitives to the sheriff of St. Charles county, Missouri, said reward to be paid upon the production of the receipt of the sheriff of said county for the body or bodies of the fugitives aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson this eighth day of May A. D. 1877.

JOHN S. PHELPS.

By the governor:

MICHL. K. MCGRATH  
Secretary of State.

## Description of fugitives:

Richard Henson has black hair, dark complexion, straight nose, about five feet eight inches high well made weighs about 160 lbs. & between 25 and 30 years of age.

Jane Adison alias Jane Hensen is of medium size, middle aged, light hair, red or freckled face, hard features blueish eyes and masculine voice.



*OFFERING A REWARD*

MAY 8, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 388*

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WHEREAS James Bishop stands charged by indictment, in the circuit court of Maries county, Missouri, with the murder of David Hoops on the sixteenth day of May A. D. 1874, and Whereas the said James Bishop is now at large and a fugitive from justice, and cannot be arrested by ordinary criminal process, Now Therefore I, John S. Phelps, governor of the state of Missouri, by virtue of the authority of law in me vested, do by this my proclamation offer a reward of two hundred dollars for the arrest and delivery of the body of the said James Bishop to the sheriff of Maries county, Missouri, at any time within one year from the date of this proclamation.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson this eighth day of May A. D. 1877.

JOHN S. PHELPS.

By the governor

MICHL. K. McGRATH

Secretary.

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*OFFERING A REWARD*

MAY 9, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 389*

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WHEREAS Michael Shroyer stands charged by indictment in the circuit court of Boone county, Missouri, with the murder of Permelia Ann Shroyer in October 1876, and WHEREAS the said Michael Shroyer is now at large and a



fugitive from justice, and cannot be arrested by ordinary criminal process—Now THEREFORE I, John S. Phelps, governor of the state of Missouri by virtue of the authority of law in me vested, do hereby offer a reward of two hundred dollars for the arrest of the said Michael Shroyer and his delivery to the sheriff of Boone county, Missouri. Said reward to be paid upon the production of the receipt of the sheriff of said county for the body of the fugitive aforesaid.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson this ninth day of May A. D. 1877.

JOHN S. PHELPS.

By the governor:

MICHL. K. McGRATH,  
Secretary of State.

#### Description of fugitive:

Michael Shroyer is about forty five years of age five feet ten inches high weighs about one hundred and sixty pounds; dark hair little grey, black beard, square shoulders, high cheek bones dark complexion, heavy eyebrows, dark eyes, left hand crippled, fingers drawn down, snappish voice, illiterate.

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### ON THE REPEAL OF CERTAIN PROCLAMATIONS

MAY 21, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 395*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, many proclamations have been issued by my predecessors for the arrest and surrender to the proper authorities of fugitives from justice, and in many cases the witnesses by whom the guilt of said fugitive could be estab-



lished have died or have removed from the state so that the prosecution of said malefactors would be unavailing and the state subjected not only the expense of prosecution but also to the payment of large sums for rewards. Therefore I do hereby make known that all proclamations issued by the governors of this state prior to the first day of January 1877, offering rewards for the capture and surrender of fugitives from justice are hereby revoked, and that no reward will be paid for the arrest of said fugitives made after this date arrested under said proclamations. In all proper cases rewards will again be offered if shown to be advisable.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson this 21st day of May A. D. 1877.

JOHN S. PHELPS.

By the governor  
MICHL. K. McGRATH  
Secretary of State.

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### OFFERING A REWARD

MAY 22, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 396*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Albert Carey, alias Kerry, stands charged by indictment in the circuit court of Newton county with the murder of John Cole, and Whereas, the said Albert Carey, alias Kerry, is a fugitive from justice and cannot be arrested by ordinary process,

NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, by virtue and authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest of said fugitive and his delivery to the sheriff of Newton county,



payable on the production of the receipt of the sheriff of said county for the body of said fugitive, within twelve months from this date.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson this 22nd day of May A. D. 1877.

JOHN S. PHELPS.

By the governor

MICHL. K. McGRATH

Secretary of State.

#### Description of Fugitive:

Albert Carey alias Kerry, is 5 feet 11½ inches high, stoop shouldered weighs about 180 or 185 pounds; complexion dark; low forehead; lame, from a broken ankle, in his right foot; works his head from one side to the other in conversation.

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#### OFFERING A REWARD

JUNE 14, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 407*

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#### EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS, it has been made known to me that some person or persons, whose names are to me unknown, did on the night of the 22nd day of May 1877, wilfully set fire to the building or storehouse of Joseph J. Huegel, in the city of Jefferson, and that said unknown person or persons did on the 12th day of June 1877, wilfully set fire to the building of C. V. Price in the city of Jefferson; and it is shown to me that both of said buildings, at the time they were so fired, were being repaired by convict labor, and it is believed that the object of the said incendiaries was to deter those who might desire to do so, from employing



convict labor in erecting or repairing buildings on said city of Jefferson, and WHEREAS, said parties so charged with said felony have fled from justice or have secreted themselves.

NOW THEREFORE, I, Henry C. Brokmeyer, Lieutenant and acting governor of the state of Missouri, under and by authority of law in me vested, do hereby offer a reward of Three hundred dollars for the apprehension and delivery of the person or persons, charged with committing said offense, to the sheriff of Cole county, payable upon the production to this department of satisfactory proof of the conviction of said person or persons.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson this 14th day of June A. D. 1877.

HENRY C. BROKMEYER

By the lieutenant and acting governor.

MICHL K. MCGRATH

Secretary of State.

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### OFFERING A REWARD

JULY 2, 1877

*From the Register of Civil Proceedings, 1874-1878, pp. 414-415*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Moses Everman and Joseph Everman stand charged by indictment in the circuit court of Vernon county with the murder of Simon Neilson; and Whereas, the said Moses Everman and Joseph Everman have fled from justice and cannot be arrested by the ordinary process of law,

NOW THEREFORE, I, Henry C. Brokmeyer, Lieutenant and acting governor of the state of Missouri, by virtue and authority of law in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest of each of said fugitives and their



delivery to the sheriff of Vernon county within twelve months from the date hereof, payable on proof of their conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson this second day of July A. D. 1877.

HENRY C. BROKMEYER.

By the Lieutenant and acting governor  
MICHL. K. MCGRATH  
Secretary of State.

#### Description of fugitives:

Moses Everman is about 27 years old 5 feet 8 inches high; thin visaged, dark complexioned, with black hair and thin black whiskers; would weigh about 140 pounds.

Joseph Everman—24 or 25 years old 5 feet 7 or 8 inches high—weighs 135 or 140 pounds, thin faced dark complexioned and black hair and whiskers—whiskers very thin.

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### OFFERING A REWARD

JULY 24, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 421*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, David Allen stands charged by indictment in the circuit court of Ripley county with the murder of William L. Williams, and Whereas the said David Allen has fled from justice and cannot be arrested by ordinary criminal process of law. Now Therefore, I, John S. Phelps governor of the state of Missouri by virtue and authority of law in me vested and for good and sufficient reasons appearing do hereby offer a reward of two hundred



dollars for the arrest of said fugitive and his delivery to the sheriff of Ripley county at any time within twelve months from the date hereof payable upon proof of his arrest and receipt of the sheriff of said county for the body of said fugitive.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 24th day of July A. D. 1877.

JOHN S. PHELPS.

By the governor

MICHL. K. McGRATH  
Secretary of State

#### Description of fugitive:

David Allen is described as about twenty two years old; five feet ten inches high, round shouldered; one hundred and forty five pounds weight; sandy or red haired, side whiskers rather kinkey—brogue in speech.

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### AN APPEAL FOR PEACE AND ORDER

JULY 27, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 429*

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SAINT LOUIS, MISSOURI, July 27, 1877.

WHEREAS, a large number of men have for several days been unlawfully and riotously assembled in the city of St. Louis; and Whereas it has been represented to me that said men have unlawfully compelled other men to quit and abandon the pursuits by which they supported themselves and their families, thus to give up against their wish, their usual employment; and Whereas said men have impeded the prosecution of the internal commerce of the country by assembling in force and preventing the transportation of the products of the agriculturist, the artisan and the



manufacturer thereby materially enhancing the cost of the support of all persons in a time of financial distress; and Whereas, other disturbances and disorders are threatened in this city and elsewhere in this state. Now, therefore, I, John S. Phelps, governor of the state of Missouri; do hereby require said bands of men, so unlawfully assembled, to disband and return to their usual pursuits and avocations, and not further to molest the good citizens of this state, or to interfere with their industrial pursuits. And I do assure the people of Missouri, and especially of this city, that I am here for the purpose of seeing that the laws are faithfully executed and enforced, and that the rights of all shall be respected; that order shall be maintained; that all assemblages of evil men shall be dispersed and that quiet and tranquility in future shall be preserved, and with the aid of the good people of this state I do solemnly declare these pledges shall be redeemed, so far as in me lies as their chief executive, not only for the peace and welfare of this city, but for every part of this commonwealth.

In Witness Whereof I have set my hand this 27th day of July 1877.

JOHN S. PHELPS,  
Governor of Missouri.

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### OFFERING A REWARD

AUGUST 8, 1877

*From the Register of Civil Proceedings, 1874-1878, pp. 427-428*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Hayden Brown stands charged by affidavit with the murder of Mrs. J. C. Parish, and whereas the said Hayden Brown has fled from justice and cannot be arrested by ordinary process of law, .

NOW THEREFORE, I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and



for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest of said fugitive and his delivery to the sheriff of Randolph county at any time within twelve months from the date hereof.

In Testimony Whereof I have hereunto and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this eighth day of August A. D. 1877.

JOHN S. PHELPS.

By the governor

MICHL. K. McGRATH

Secretary of State.

#### Description of fugitive:

Hayden Brown is about twenty two years old; about five feet six inches high; sandy and short hair; light mustache; heavy dark eyebrows; prominent cheek bones; thin visage, would weigh in the neighborhood of 150 pounds; is of a boisterous disposition; When last seen he was riding a gray horse, and armed with a revolver and doubled barrellled shot gun.

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#### OFFERING A REWARD

AUGUST 17, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 433*

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WHEREAS, Jacob Judy stands charged by indictment in the circuit court of Franklin county, Missouri, with the murder of James O. Garha; and, Whereas the said Jacob Judy has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE, I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a



reward of Two hundred dollars for the arrest of said fugitive and his delivery to the sheriff of said county of Franklin, at the town of Union, at any time within twelve months from the date hereof.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this seventeenth day of August A. D. 1877.

JOHN S. PHELPS.

By the governor

MICHL. K. McGRATH  
Secretary of State.

### Description

Jacob Judy is between twenty eight and thirty years of age; of light complexion, with blue eyes and auburn hair; about 5 feet 10 inches in height; of slender build, weighing about 150 pounds, and in address is quick spoken.

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### OFFERING A REWARD

AUGUST 17, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 434*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Henry Clay White and Louis Krimminger stand charged by indictment in the circuit court of Perry county, Missouri, with the murder of William T. Jones, and Whereas the said Henry Clay White and Louis Krimminger have fled from justice and cannot be arrested by ordinary process of law, Now therefore, I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest



of each of said fugitives and their delivery to the sheriff of said county of Perry at the county seat thereof at any time within twelve months from this date.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this seventeenth day of August A. D. 1877.

JOHN S. PHELPS.

By the governor:

MICHL. K. McGRATH  
Secretary of State.

#### Description:

White is about 29 years of age, 5 feet 9 or 10 inches high; stout built, weighing about 170 pounds; black hair and eyes, dark brown eyebrows, mustache and chin whiskers, the latter sometimes dyed black, is erect in carriage and of genteel appearance.

Krimminger is about 20 years of age, about 6 feet high; awkwardly built and stout, weighing about 180 pounds; smooth faced, black eyes, dark hair and eyebrows; of sluggish habits and slovenly in dress.

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### ON RELINQUISHMENT OF LAND

SEPTEMBER 5, 1877

*From the Register of Civil Proceedings, 1874-1878, pp. 440-442*

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*The State of Missouri To all to whom these presents shall come,  
Greeting:*

Know Ye, that WHEREAS, under the Act of congress approved Sept. 28th 1850 entitled "An act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits," the surveyor general for the states of Illinois and Missouri reported to the commissioner of



the general land office the following described tract of land subject to sale at the land office at Springfield, Mo., as inuring to the state of Missouri, under the act aforesaid, viz: The north half of the southwest quarter of section one (1) township thirty-three (33) of range fifteen (15) west and Whereas, it appears that the said described tract of land was located Sept. 25, 1856 by Isaac Whitson of Laclede county, Missouri, with Military bounty land warrant No. 33,446, under act of congress approved March 3d 1855 and, Whereas on the 17th day of January 1857 the aforesaid tract of land was approved to the state of Missouri by the Secretary of the Interior in list No. 2 of swamp and overflowed lands and Whereas, on the 26th day of March 1857, the said tract of land was patented to the state of Missouri in patent No. 2, for the Springfield district as inuring to the state of Missouri under said act of 1850 and Whereas, by an act of congress approved March 2d, 1855 entitled "An act for the relief of purchasers and locators of swamp and overflowed lands" the president of the United States is directed to cause patents to be issued as soon as practicable to the purchasers or locators who have made entries of the public lands either with cash or with land warrants or with scrip prior to the issue of patents to the state, as provided in the act of Sept. 28, 1850 and Whereas, in pursuance of an act of the General Assembly of the State of Missouri, approved March 10, 1869, entitled "An act in relation to swamp and overflowed lands" all the swamp and overflowed lands were patented to the different counties in which they are situated, and the said described tract of land was on the 26th day of December 1869, patented to the county of Laclede in the state of Missouri in patent No. 6, and Whereas, the governor of the state of Missouri is authorized by the law of said state to relinquish the title of the state to such swamp and overflowed lands as may have been sold by the United States since the passage of the law donating said lands to the state whenever the counties interested in said land may by an order of the county court authorize him to do so, and Whereas the county court



of the said county of Laclede at the July adjourned term 1877, and on the 17th day of July, A. D. 1877, did make the following order, a certified copy of which order is on file in the office of Register of Lands for the state of Missouri, to wit: "It is ordered by the court that the governor of the state of Missouri be and he is hereby authorized to relinquish to the United States government the title of Laclede county to the N $\frac{1}{2}$  S. W.  $\frac{1}{4}$  of Sec. 1 township 33 of range 15 heretofore patented to Isaac Whitson by the United States." Now Therefore I, John S. Phelps, governor of the state of Missouri, in consideration of the premises, and by virtue of authority in me vested by law do hereby release and forever relinquish unto the United States of America all the right, title, claim or interest of any kind whatsoever of the state of Missouri or of the county of Laclede in the state of Missouri in and to the land hereinbefore described, acquired under or by virtue either of the selection and approval or the patent issued to said state of Missouri or of the patent issued to the said county of Laclede by the state of Missouri, intending hereby to restore the same to the control of the United States as fully as if said approval had never been made or said patent issued.

In Testimony Whereof I, John S. Phelps, governor of the state of Missouri have caused these letters to be made patent and the seal of the state to be hereunto affixed by the secretary of state.

(Seal) Given under my hand at the city of Jefferson this 5th day of September in the year of our Lord One Thousand eight hundred and seventy-seven.

JOHN S. PHELPS.

By the governor

MICHL. K. McGRATH

Secretary of State.



## OFFERING A REWARD

SEPTEMBER 15, 1877

*From the Register of Civil Proceedings, 1874-1878, pp. 445-446*

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS, George Youngblood stands charged by affidavit with the murder of Joseph Campbell in Howell county, Missouri, on or about the twenty ninth day of August A. D. 1877, and Whereas the said George Youngblood is now a fugitive from justice and cannot be arrested by ordinary criminal process Now therefore I, John S. Phelps governor of the state of Missouri by virtue of the authority of law in me vested do offer a reward of two hundred dollars for the apprehension of said George Youngblood and his delivery to the sheriff of Howell county Missouri at West Plains within one year from the date of this proclamation.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the city of Jefferson this 15th day of September A. D. 1877.  
JOHN S. PHELPS.

By the governor:

MICHL. K. McGRATH,  
Secretary of State.

## Description of George Youngblood:

He is about 28 years of age, heavy set and about five feet six or seven inches high; weighs about 150 pounds and has dark or black hair.



*OFFERING A REWARD*

SEPTEMBER 19, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 448*

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS, James Rupard stands charged by indictment with the murder of a colored man in Laclede county in this state, and Whereas the said James Rupard has fled from justice and cannot be arrested by ordinary criminal process, NOW THEREFORE I, John S. Phelps, governor of the state of Missouri by virtue and authority of law in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest of said fugitive and his delivery to the sheriff of Laclede county at the town of Lebanon within twelve months from the date hereof—payable upon proof of his arrest, and receipt of the sheriff of said county for the body of said fugitive.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson Mo. this nineteenth day of September A. D. 1877.

JOHN S. PHELPS.

By the governor

MICHL K. McGRATH

Secretary of State.

*OFFERING A REWARD*

SEPTEMBER 27, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 451*EXECUTIVE DEPARTMENT, JEFFERSON CITY, MISSOURI,  
SEPTEMBER 27, 1877.

WHEREAS, Nathaniel Buchanan stands charged by indictment in the circuit court of Stoddard County, Missouri with the murder of Isaac R. Dotson, and Whereas, the said



Nathaniel Buchanan has fled from justice and cannot be arrested by ordinary criminal process, Now Therefore I, John S. Phelps, Governor of the State of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest of said fugitives and his delivery to the sheriff of said county of Stoddard, at the town of Bloomfield, within twelve months from the date hereof, payable upon proof of his arrest and receipt of the sheriff of said county for the body of said fugitive.

In Testimony Whereof I have here-unto set my  
(Seal) hand and caused to be affixed The Great Seal  
of the State of Missouri. Done at the City of  
Jefferson this twenty seventh day of September  
AD. 1877.

JOHN S. PHELPS.

By the Governor:

MICHEL K. McGRATH—Secy. of State.

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### OFFERING A REWARD

SEPTEMBER 27, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 452*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS Jesse Kitchen stands charged by indictment in the circuit court of Stoddard county, Missouri, with the murder of George Reck and Whereas the said Jesse Kitchen has fled from justice and cannot be arrested by ordinary criminal process, Now Therefore, I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest of said fugitive and his delivery to the sheriff of said county of Stoddard at the town of Bloomfield within



twelve months from the date hereof payable upon proof of his arrest and receipt of the sheriff of said county for the body of said fugitive.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this twenty seventh day of September A. D. 1877.

JOHN S. PHELPS.

By the governor

MICH'L. K. McGRATH

Secretary of State.

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### OFFERING A REWARD

OCTOBER 9, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 456*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS Burgess G. Miller stands charged with the crime of having unlawfully, feloniously and wilfully aided and assisted in the escape of one Mary Ann Lawrence, a prisoner, from his custody, while acting as deputy sheriff of Ozark county, Missouri, and, Whereas, the said Miller is a fugitive from justice and cannot be arrested by ordinary process of law Now Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest of said fugitive and his delivery to the sheriff of Ozark county at Gainesville at any time within one year from the



date of this proclamation.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the city of  
Jefferson this ninth day of October, A. D. 1877.

JOHN S. PHELPS.

By the governor  
MICH'L K. McGRATH  
Secty of State.

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## ON THANKSGIVING

NOVEMBER 19, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 469*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

*To the people of the state of Missouri:*

It is the duty of a people who have enjoyed the many blessings of Divine Providence to return their devout thanks for the bounties received. We have been spared the terrible calamities of war; we have been free from "the pestilence that walketh in darkness, and the sickness that destroyeth in noonday," and in the recent commotion which invaded our state life was taken nor was blood shed: The earth has generously yielded a full recompense to the kind hand and skill of the husbandman; The paralysis which has afflicted our manufacturing and commercial interests is gradually yielding to the enterprise, the increased industry and rigid economy of a good and virtuous people. I therefore recommend that the people of this state shall assemble at their usual places of worship on Thursday the 29th instant and give thanks for the many blessings bestowed on them.



In Testimony Whereof, I, John S. Phelps, governor of the state of Missouri, have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson Mo. this 19th day of November A. D. 1877.

JOHN S. PHELPS.

By the governor  
MICHL K. MCGRATH  
Secretary of State.

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### OFFERING A REWARD

DECEMBER 11, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 477*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS, William J. Bradford stands charged by indictment in the circuit court of Phelps county, Missouri, with the murder of R. D. Freeman and M. M. Freeman and Whereas the said William J. Bradford has fled from justice and cannot be arrested by ordinary criminal process—Now, Therefore, I, John S. Phelps governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest of said fugitive, and his delivery to the sheriff of said county of Phelps, at the county seat thereof, at any time within twelve months from this date.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the  
(Seal) state of Missouri. Done at the city of Jefferson  
this eleventh day of December A. D. 1877.

JOHN S. PHELPS.

By the governor,  
MICHL K. MCGRATH,  
Secty State.



TO THE PEOPLE OF MISSOURI RELATIVE TO  
THE UNIVERSAL EXPOSITION IN PARIS

JANUARY 3, 1878

*From the Register of Civil Proceedings, 1874-1878, pp. 487-488*

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WHEREAS, the United States have been invited by the Republic of France to take part in a universal Exposition to be held in Paris this year, which invitation has been accepted by the government of the United States, and Whereas by an exhibition of the products of our mines, of our agriculture, and of our manufactures, such exposition will be likely to more extensively make known to the people of foreign lands the resources of this country, and thereby induce immigration and the investment of additional capital in the industrial pursuits of this state.

NOW THEREFORE, I, John S. Phelps, governor of the state of Missouri, do hereby invite all the people of this state to engage and assist in making a proper representation of our industrial and natural products at the proposed exposition.

No money is placed at my disposal to aid in this great exhibition, but after the collection of the articles to be exhibited shall have been made at St. Louis or other point in this state, as may be hereafter determined, the expense of their transportation to Paris will be defrayed by the United States.

Officers will be appointed in this state by the president of the United States to assist in the conduct and management of this great enterprise.

I propose to appoint a few persons as commissioners who will also represent the interests of this state: They will receive no compensation nor will the expenses necessarily incurred by them be paid by the state. I cannot and will not incur expense or charges against the state not authorized by law, and in the appointment of such commissioners I desire to appoint those only who will attend the Exposition



at Paris, and who will not seek such appointment and then shirk the duties which they should perform with earnestness and zeal. But money will be required To defray the expenses of collecting such products of our agriculture, our manufactures and our mines as will properly display the rich resources of our state, the fertility of its soil, attested by its cereals, the abundance and wealth of our mineral products and the consummate skill of our manufacturers and artisans, Therefore as soon as such commissioners shall be appointed they will make known the amount of money which will be required for this purpose and I recommend that the necessary amount of funds be contributed by the people of this state to be expended under the management and direction of the commissioners.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this third day of January A. D. 1878.  
JOHN S. PHELPS.

By the governor  
MICHL K. McGRATH  
Secretary of State.

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### ON DECLARING CERTAIN COMMISSIONS VACATED

JANUARY 11, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 491*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

By virtue of authority in me vested by law I, John S. Phelps, governor of the state of Missouri, hereby declare vacated, from and after the first day of February A. D. 1878, all commissions heretofore issued to persons residing



in any of the states or territories of the United States or foreign countries, as commissioners of deeds for the state of Missouri, who have failed to file their oaths of office, and a description of their seals of office (if there be such) together with their signatures thereto, in the office of the secretary of state within six months after the date of their appointments, as required by section 2, chapter 22 title VIII of the general statutes of Missouri of 1865.

In Testimony Whereof I have here unto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of  
Jefferson this eleventh day of January A. D. 1878.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH

Secretary of State.

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### OFFERING A REWARD

APRIL 18, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 526*

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#### EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS, Pinkney Anderson Baker stands charged with the murder of James Middleton in the county of St. Francois in this state, and Whereas the said Pinkney Anderson Baker has fled from justice and cannot be arrested by ordinary criminal process, Now Therefore I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest of said fugitive and his delivery to the sheriff of said county of St. Francois at the county seat thereof, at any time within one year from this date.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 18th day of April A. D. 1878.

JOHN S. PHELPS.

By the governor:

MICH'L. K. McGRATH

Secretary of State.

### Description of fugitive:

Age, about thirty five years; Near six feet in height, and will weigh about one hundred and forty five or fifty pounds; Has dark blue eyes and dark hair, usually a little long; light complexion and very little beard and thinly set on face; Is a carpenter, wheelwright and chair maker by trade.

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### OFFERING A REWARD

JUNE 4, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 541*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS, Carlton D. Vandiver stands charged by indictment in the circuit court of Boone county, state of Missouri, with the murder of Matilda Vandiver, his wife, in the county of Boone aforesaid, on the 22nd day of August 1872; and Whereas, the said Carlton D. Vandiver has fled from justice and cannot be arrested by ordinary process, NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said fugitive to the sheriff of Boone county at Columbia, within twelve months from the date hereof.



(Seal) In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal  
of the state of Missouri. Done at the city of  
Jefferson this fourth day of June A. D. 1878.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH  
Secretary of State.

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### OFFERING A REWARD

JUNE 13, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 545*

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#### EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS John Williams stands charged by indictment in the circuit court of St. Francois county, State of Missouri, with the murder of Mathew Kinney, in the county aforesaid on the 3rd day of December A. D. 1871, and Whereas the said John Williams has fled from justice and cannot be arrested by ordinary criminal process: Now Therefore I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said fugitive to the sheriff of said county at Farmington, within one year from the date hereof.

(Seal) In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal  
of the state of Missouri. Done at the city of  
Jefferson this Thirteenth day of June A. D.  
1878.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH  
Secretary of State.



*OFFERING A REWARD.*

JUNE 14, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 546*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS David Gregory stands charged by indictment in the circuit court of Dunklin county, State of Missouri, with the murder of Taylor Hale in said county on 9th day of August A. D. 1877, And Whereas the said David Gregory has fled from justice and cannot be arrested by ordinary process Now Therefore I, John S. Phelps, governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said fugitive to the sheriff of said county of Dunklin at Kennett within one year from the date hereof.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the city of Jefferson Mo. this fourteenth day of June A. D. 1878.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH

Secretary of State.

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*OFFERING A REWARD*

JULY 2, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 553*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS Lewis Pixley and Perry Pixley, stand charged by indictment in the circuit court of Vernon county, state of Missouri, with the murder of Joseph Bailey in said county on the 26th day of May 1867, and Whereas the said Lewis Pixley and Perry Pixley have fled from justice and cannot



be arrested by ordinary process of law. Now Therefore, I, John S. Phelps governor of the state of Missouri, do hereby offer a reward of Two hundred dollars for the arrest and delivery of each of said fugitives to the sheriff of Vernon county at the county seat thereof at any time within twelve months from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this second day of July A. D. 1878.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH

Secretary of State.

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### ON RESTORATION OF CIVIL RIGHTS

JULY 26, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 560*

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*The state of Missouri to all who shall see these presents, greeting:*

WHEREAS Chas. Strabach at the May term 1877, of Franklin county circuit court, was by the judgment of said court convicted of selling whisky on Sunday, and adjudged to pay a fine of \$5.00, and thereby became disqualified from keeping a dramshop within two years from such conviction within this state Now Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby restore to the said Chas. Strabach all the civil rights forfeited by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this 26th day of July A. D. 1878.

JNO. S. PHELPS.

By the governor

MICH'L K. McGRATH

Secretary of State.



*OFFERING A REWARD*

AUGUST 15, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 565*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS James Allison and John L. Williams stand charged by indictment in the circuit court of Morgan county with the crime of murder, committed in 1875, and Whereas the said James Allison and John L. Williams have fled from justice and cannot be arrested by ordinary criminal process, Now Therefore, I, John S. Phelps, governor of the state of Missouri by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars each for the arrest and delivery of said fugitives to the sheriff of said county at Versailles, within twelve months from the date hereof.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the city of Jefferson this fifteenth day of August A. D. 1878.  
JOHN S. PHELPS.

By the governor  
MICH'L K. McGRATH  
Secretary of State.

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*OFFERING A REWARD*

AUGUST 31, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 570*

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EXECUTIVE DEPARTMENT, STATE OF MISSOURI.

WHEREAS David Victor stands charged by indictment in the circuit court of Stoddard county, state of Missouri, with the murder of Isaac M. Lindsay in said county on the 16th day of April 1869, and Whereas the said David Victor



has fled from justice and cannot be arrested by ordinary criminal process, Now Therefore I, Henry C. Brokmeyer, Lieutenant and acting governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Three hundred dollars for the arrest of said fugitive and his delivery to the sheriff of said county of Stoddard at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson, this 31st day of August A. D. 1878.

HENRY C. BROCKMEYER

By the Lieutenant  
and acting governor

MICH'L K. McGRATH  
Secretary of State.

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### OFFERING A REWARD

SEPTEMBER 16, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 576*

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#### EXECUTIVE DEPARTMENT, STATE OF MISSOURI.

WHEREAS, Benjamin Munsford stands charged by affidavit in the county of Clark State of Missouri, with the murder of John H. Jackson in said county on the 21st day of August 1878; and Whereas, the said Benjamin Munsford has fled from justice and cannot be arrested by ordinary criminal process, Now Therefore I, John S. Phelps governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest of said fugitive and his delivery to the sheriff of said county of Clark at the county seat thereof at any time within one year from the date of these presents.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the state of Missouri. Done at the city of Jefferson This 16th day of September A. D. 1878.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH  
Secretary of State.

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### ON REMOVAL OF DISABILITIES

OCTOBER 4, 1878

*From the Register of Civil Proceedings, 1874-1878, pp. 582-583*

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*The state of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS John N. German at the August term A. D. 1875 of the circuit court of Wright county was by the judgment of said court convicted of petit larceny and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election or to hold any office of honor, profit or trust within this state, Now Therefore I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said John N. German:

In Testimony Whereof I have Hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson this fourth day of October A. D. 1878.

JOHN S. PHELPS.

By the governor:

MICH'L K. McGRATH,  
Secretary of State.



## ON THANKSGIVING

NOVEMBER 16, 1878

*From the Register of Civil Proceedings, 1874-1878, pp. 615-616*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

It is proper that we give thanks to Almighty God for the innumerable blessings bestowed on us during the past year: We should manifest our gratitude that we have been spared from civil commotion and that the pestilence which "Walketh at noon-day" has not darkened our homes with sorrow: The labors of the husbandmen have been rewarded and all branches of industry seem to revive I, John S. Phelps, governor of Missouri do therefore designate and set apart Thursday the 28th day of this month as a day of thanksgiving and prayer: I request the people on that day to abstain from their usual secular pursuits and to assemble in their places of public worship to return thanks to Almighty God for the blessings He has bestowed on us and to pray for their continuance and that his mercy may abide with us forever.

In Testimony Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(SEAL) state of Missouri. Done at the city of Jefferson  
this 16th day of November A. D. 1878.

JOHN S. PHELPS.

By the governor:

MICH'L K. McGRATH,  
Secretary of State.



*OFFERING A REWARD*

NOVEMBER 29, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 628*

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EXECUTIVE DEPARTMENT, STATE OF MISSOURI.

WHEREAS: Benjamin Munsford stands charged by affidavit in the county of Clark, state of Missouri with the murder of John H. Jackson in said county on the 21st day of August 1878 and Whereas the said Benjamin Munsford has fled from justice and cannot be arrested by ordinary criminal process Now Therefore I, John S. Phelps governor of the state of Missouri, by authority of law in me vested, and for good and sufficient reasons appearing do hereby offer a reward of one hundred dollars (in addition to the reward of two hundred dollars heretofore offered for the arrest of said Munsford by proclamation dated September 16th 1878) for the arrest of said fugitive and his delivery to the sheriff of said county of Clark at the county seat thereof at any time within one year from September 16th 1878.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson this 29th day of November A. D. 1878.

JOHN S. PHELPS.

By the governor  
MICH'L K. McGRATH  
Secretary of State.



## OFFERING A REWARD

DECEMBER 7, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 632*

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EXECUTIVE DEPARTMENT, STATE OF MISSOURI.

WHEREAS John Cisney stands charged with the murder of Frederick Mertel on the 7th day of November 1878. in the county of Benton, and Whereas the said John Cisney has fled from justice and cannot be arrested by ordinary process, Now Therefore, I, John S. Phelps governor of the state of Missouri by authority of law in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county of Benton at Warsaw in said county at any time within twelve months from the date hereof:

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson this 7th day of December A. D. 1878.  
JOHN S. PHELPS.

By the governor:

MICH'L K. McGRATH,  
Secretary of State.

## OFFERING A REWARD

DECEMBER 21, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 635*

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EXECUTIVE DEPARTMENT, JEFFERSON CITY, MISSOURI.

Whereas William A. Salisbury stands charged by indictment in the county of Bollinger with the murder of Lawson Pope, and has fled from justice and cannot be arrested by ordinary process of law, Now Therefore I,



Jno. S. Phelps, governor of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county at the county seat thereof within one year from this date.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the State of Missouri. Done at the city of Jefferson this 21st day of December A. D. 1878.  
JNO. S. PHELPS.

By the governor:  
MICH'L K. McGRATH,  
Secretary of State.

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### OFFERING A REWARD

DECEMBER 30, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 637*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS John Logan stands charged with the murder of Robert H. Ferrell in Pettis county, and has fled from justice and cannot be arrested by ordinary process of law, Now Therefore, I, Jno. S. Phelps, governor of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county, at the county seat thereof, within one year from this date.

In Testimony Whereof I have hereunto set my hand, and caused to be affixed the great seal  
(SEAL) of the state of Missouri. Done at the city of Jefferson this 30th day of December A. D. 1878.  
JOHN S. PHELPS.

By the governor  
MICH'L K. McGRATH  
Secretary of State.



*OFFERING A REWARD*

DECEMBER 30, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 637*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

WHEREAS Joseph Eaton stands charged by indictment with the murder of James S. Hatter in the county of Benton, and has fled from justice and cannot be arrested by ordinary process of law: Now Therefore I, John S. Phelps, governor of Missouri by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county at the county seat thereof within one year from this date.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this 30th day of December A. D. 1878.

JOHN S. PHELPS.

By the governor,  
MICH'L K. MCGRATH,  
Secretary of State.

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*OFFERING A REWARD*

FEBRUARY 22, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 20*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 22, 1879.

WHEREAS William Hilderbrand stands charged by indictment with the murder of Hugo Veth in the county of Jefferson, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, John S. Phelps, governor of Missouri, by virtue of authority in me vested and for good



and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county, at the county seat thereof, within one year from this date.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the State of Missouri. Done at the City of Jefferson this 22nd day of February AD. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

MARCH 11, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 28*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON.

WHEREAS, Marion J. Holly stands charged by indictment with the murder of John Pierce in the county of Pemiscot and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore, I, John S. Phelps, governor of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two-hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county, at the county seat thereof at any time within one year from this date.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the State of Missouri. Done at the City of Jefferson this eleventh day of March A. D. 1879.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH,  
Secretary of State.



## OFFERING A REWARD

MARCH 12, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 29-30*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, William Griffith stands charged by indictment with the crime of arson in the county of Osage, and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county of Osage at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal  
(SEAL) of the State of Missouri. Done at the City of Jefferson this twelfth day of March AD. 1879.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH, Secretary of State.

## OFFERING A REWARD

MARCH 15, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 31*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John Johnson stands charged by indictment with the murder of Andrew Mahaney in the county of Wright and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore I, John S. Phelps, Governor of the State of Missouri by virtue of



authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county of Wright, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal  
(SEAL) of the State of Missouri. Done at the City of Jefferson this fifteenth day of March A. D. 1879.  
JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

#### Description of Fugitive:

Johnson is 20 or 25 years old; weighs 160 lbs; very dark skin and eyes; black hair and thin black beard; about 5 feet 8 inches high.

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#### OFFERING A REWARD

APRIL 22, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 43*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, David Bertram stands charged by indictments, in the St. Louis criminal court, with the crime of grand larceny, and has fled from justice and cannot be arrested by ordinary process of law, NOW THEREFORE, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One Hundred and fifty dollars for the arrest and delivery of said fugitive to the marshal of the city of St. Louis, in said city at any time within twelve months from the date of these presents.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of  
(SEAL) the State of Missouri. Done at the city of Jefferson this 22nd day of April A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

MAY 1, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 47*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Jack Newcomb stands charged by indictment with the murder of Patrick Dougherty in the county of Jasper and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said fugitive to the sheriff of said county of Jasper, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of  
(SEAL) the State of Missouri. Done at the City of Jefferson this 1st day of May A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

MAY 17, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 52*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Francis M. Huffman stands charged by indictment with the murder of Pleasant Loftice in the county of Douglas, and has fled from justice, and cannot be arrested by ordinary process of law. Now Therefore, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said fugitive to the sheriff of said county of Douglas, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of  
(SEAL) the State of Missouri. Done at the City of Jefferson this 17th day of May AD. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

*ON REMOVAL OF DISABILITIES*

MAY 21, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 54**State of Missouri, To all who shall see these presents—Greetings:*

WHEREAS John V. Geno, alias "Pinck Geno" at the June term AD 1878, of the circuit court of Nodaway County, was by the judgment of said court convicted of petit larceny, and thereby became disqualified to be sworn as a



witness or juror in any cause, or to vote at any election or to hold any office of honor, profit or trust within this State, Now Therefore, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the aforesaid disabilities imposed on the said John V. Geno, alias Pinck Geno, by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(SEAL) the State of Missouri. Done at the City of Jefferson this twenty first day of May eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

MAY 26, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 57*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John Ray, Wils Ray and James Freeman stand charged with the murder of E. I. Ellis in Barry county on or about the first day of April 1879, and have fled from justice and cannot be arrested by ordinary process of law.

Now Therefore, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of one hundred dollars for the arrest of each of said fugitives and their delivery to the sheriff of said County of Barry at the County seat thereof, at any time within one year from the date of these presents.



In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of  
Jefferson on this 26th day of May AD. 1879.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JUNE 5, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 61*

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*State of Missouri, To all who shall see these presents, Greetings:*

WHEREAS, John Tobien at the August term A. D. 1878 of the circuit court of Newton County was by the judgment of said Court convicted of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop for the period of two years next thereafter within this State: Now Therefore I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Tobien by reason of such conviction.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this fifth day of June AD. 1879.

JOHN S. PHELPS.

By the governor:

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

JULY 1, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 67*

*State of Missouri, To all who shall see these presents, Greetings:*

WHEREAS John J. Kelley was by the judgment of the criminal court of Pettis County in 1876, convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state. Now Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed upon the said John J. Kelly by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the City of Jefferson this First day of July A. D. Eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

JULY 11, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 69*

*State of Missouri, To all who shall see these presents Greetings:*

WHEREAS, Jacob Mellien at the August term A. D. 1878, of the circuit court of Henry County was by the judgment of said county convicted of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop within this state.



NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Jacob Mellien by reason of such conviction.

(Seal) In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this eleventh day of July A. D. Eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

JULY 12, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 70*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Charles Sanders stands charged by indictment with the murder of Charles Printz in the City of St. Louis, and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said fugitive to the marshal of said City of St. Louis, in said City, at any time within one year from the date of these presents.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this twelfth day of July A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

JULY 12, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 71*

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*State of Missouri, To all who shall see these presents: Greetings:*

WHEREAS Thomas M. Smith at the April term AD 1879 of the circuit court of Boone county, was by the judgment of said court, convicted of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop within this State.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Thomas M. Smith by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this twelfth day of July AD. Eighteen hundred and seventy nine.

(Seal)

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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## ON REMOVAL OF DISABILITIES

JULY 15, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 72*

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*State of Missouri, To all who shall see these presents—Greeting:*

WHEREAS John Hilpertshauser, at the September term A. D. 1878, by the circuit court of Jefferson county was by the judgment of said court convicted of selling liquor on Sunday and thereby became disqualified to obtain a license



to keep a dram shop for two years next thereafter within this state.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said John Hilpertshauser by reason of such conviction.

(Seal) In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this fifteenth day of July A. D. Eighteen hundred and seventy-nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JULY 18, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 73*

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*State of Missouri: To all who shall see these presents: Greeting:*

WHEREAS William Vetter at the February term AD 1878 of the circuit court of Phelps county, was by the judgment of said county convicted of selling liquor on Sunday, and thereby became disqualified to obtain a license to keep a dram shop within this state, Now Therefore I, John S. Phelps, Governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said William Vetter by reason of such conviction.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this eighteenth day of July AD. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

JULY 28, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 75*

*The State of Missouri, To all who shall see these presents:  
Greeting:*

WHEREAS—Peter O'Sullivan was by the judgment of the circuit court of Johnson county in A D. 1868, convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this State. Now Therefore, I, John S. Phelps, governor of the State of Missouri by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Peter O'Sullivan by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the state of Missouri. Done at the City of Jefferson this Twenty-eighth day of July AD. Eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

AUGUST 2, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 77*

*The state of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS—Edwin DeWolf at the August term AD 1873, of the circuit court of Henry County, was by the judgment of said court convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this state.



NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Edwin DeWolf by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this second day of August AD. eighteen hundred and seventy-nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

AUGUST 5, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 78*

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*The State of Missouri, To all who shall see these presents:  
Greeting:*

WHEREAS Peter O'Sullivan was by the judgment of the Johnson county court of common pleas in A. D. 1870, convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this state.

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Peter O'Sullivan by reason of such conviction.



In Testimony Whereof—I have hereunto set my  
hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this fifth day of August A. D. Eighteen  
hundred and seventy nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

AUGUST 15, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 81*

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*The State of Missouri, To all who shall see these presents  
Greeting:*

WHEREAS Baldwin Stevens was by the judgment of the Johnson court of common pleas of Johnson county in December 1871. convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this State.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Baldwin Stevens by reason of such conviction.

In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 15th day of August A. D. 1879.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

AUGUST 21, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 83*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Campbell Engle stands charged by indictment with the murder of Edward G. Godsey in the county of Nodaway, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars, for the arrest and delivery of said fugitive to the sheriff of said county of Nodaway at the county seat thereof, at any time within twelve months from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 21st day of August A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

*OFFERING A REWARD*

SEPTEMBER 15, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 89*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, A. R. Gonce was convicted and sentenced by the circuit court of Stone county to two years in the penitentiary for the crime of bigamy; and afterwards broke jail, and has fled from justice and cannot be arrested by ordinary process of law,



NOW THEREFORE, I John S. Phelps Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said fugitive to the sheriff of said county of Stone, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of Jefferson, this fifteenth day of September Ad 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

OCTOBER 3, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 93*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Benjamin Perkins stands charged by indictment with the murder of Robert Pellery in the county of Gentry, and has fled from justice and cannot be arrested by ordinary process of law: Now Therefore, I, John S. Phelps governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Benjamin Perkins to the sheriff of said county of Gentry at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this third day of October, A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

OCTOBER 4, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 93-94*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John Williams stands charged by indictment in the circuit court of St. Francois county with the murder of Mathew Kinney in the county aforesaid, on the 3rd day of December 1871, and has fled from justice and cannot be arrested by ordinary process of law:

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said John Williams to the sheriff of said county of St. Francois at Farmington, at any time within one year from the date hereof.

In Testimony Whereof—I have hereunto set my hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this fourth day of October, A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

*OFFERING A REWARD*

OCTOBER 29, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 98-99*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Antonia Mitdendorf, stands charged by affidavit with the murder of Thomas Bequette in the county of Jefferson, and has fled from justice, and cannot be arrested by ordinary process of law.



NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Antonia Mittdendorf, to the sheriff of said county of Jefferson at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 29th day of October A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

OCTOBER 29, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 99*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS B. F. Leon and David Dillon stand charged by indictment with the crime of burglary and larceny in the county of Jefferson, and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars each, for the arrest and delivery of said B. F. Leon and David Dillon to the sheriff of said county of Jefferson, at the county seat thereof, at any time within one year from the date of these presents.



In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 29th day of October AD. 1879.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

OCTOBER 29, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 100*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS George B. Tucker stands charged by indictment with the crime of bigamy, in the county of Jefferson and has fled from justice and cannot be arrested by ordinary process of law:

NOW THEREFORE, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars, for the arrest and delivery of said George B. Tucker to the sheriff of said county of Jefferson, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the city of  
Jefferson this 29th day of October A. D. 1879.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

OCTOBER 29, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 100-101*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Henry Wilkinson stands charged by indictment with the crime of grand larceny, in the county of Jefferson, and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said Henry Wilkinson to the sheriff of said county of Jefferson at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 29th day of October AD. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

*ON REMOVAL OF DISABILITIES*

OCTOBER 31, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 101**State of Missouri, To all who shall see these presents, Greeting:*

WHEREAS, Joseph Northcutt was by the judgment of the circuit court of Nodaway county, in Eighteen hundred and seventy-three, convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this state, Now, Therefore, I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested and for good and suf-



ficient reasons appearing do hereby remove the aforesaid disabilities imposed on the said Joseph Northcutt by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this thirty-first day of October A. D. Eighteen hundred and seventy-nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

NOVEMBER 6, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 103-104*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Henry Williams alias Young, stands charged by indictment with the crime of assault to kill, in the county of Jefferson, and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE—I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Seventy-five dollars for the arrest and delivery of said Henry Williams alias Young, to the sheriff of said county of Jefferson, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof—I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this sixth day of November AD. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.



## OFFERING A REWARD

NOVEMBER 6, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 103*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—James Boyer stands charged by indictment with the crime of assault with intent to kill, in the county of Jefferson and has fled from justice, and cannot be arrested by ordinary process of law.

NOW, THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Seventy-five dollars for the arrest and delivery of the said James Boyer to the sheriff of said county of Jefferson at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof—I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the City of Jefferson this sixth day of November. A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

NOVEMBER 13, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 106*

*State of Missouri, To all who shall see these presents, greeting:*

WHEREAS, Henry Schmidt was by the judgment of the circuit court of Nodaway county at the August term AD 1870, and the July term A. D. 1873 convicted of selling



liquor without license, and thereby became disqualified from obtaining a license to keep a dram shop within this state;

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the aforesaid disabilities imposed on the said Henry Schmidt by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 13th day of November A. D. Eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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### ON THANKSGIVING

NOVEMBER 15, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 107*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, MISSOURI.

In acknowledgment of the many mercies bestowed upon the people of this State during the past year, and in pursuance of the proclamation of the President of the United States I, John S. Phelps, Governor of the State of Missouri on behalf and in the name thereof do hereby designate

Thursday, the 27th day of November as a day of Thanksgiving and prayer: And I do request the people of this state to abstain from their usual secular pursuits on that day, to assemble in their usual places of public worship, and to return thanks to Almighty God for the abundant harvest He has bestowed upon our people—for the increase of business and general prosperity now enjoyed—for our exemption from pestilence, and for the other innumerable blessings we have received, and to pray they may be continued.



(Seal) In Testimony Whereof, I, John S. Phelps, have hereunto set my hand and caused to be affixed the great seal of the State of Missouri Done at the City of Jefferson this 15th day of November in the year of Our Lord 1879, of the independence of the United States the 104th and of the State of Missouri the 60th.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

NOVEMBER 21, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 108*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Frank Lane, alias Daniel C. Slater, and William Smith, stand charged by affidavit with the murder of William J. Young in the county of Clark, and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of two hundred and fifty dollars for the arrest and delivery of each of said fugitives, Frank Lane alias Daniel C. Slater and William Smith, to the sheriff of Clark county, at the county seat thereof, at any time within one year from the date of these presents.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 21st day of November A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

DECEMBER 5, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 112*

STATE OF MISSOURI, S. S.

WHEREAS, Martin O'Rourke was, by the judgment of the circuit court of Nodaway county, in the years eighteen hundred and seventy-three, eighteen hundred and seventy-four, and eighteen hundred and seventy-five, convicted of selling liquor without license; and thereby became disqualified from obtaining a license to keep a dram shop within this state.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed upon the said Martin O'Rourke by reason of such convictions.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this fifth day of December, A. D. eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

## OFFERING A REWARD

DECEMBER 6, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 112-113*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, James M. Norvall stands charged by indictment with the murder of Francis Vickars in the county of Cooper, and has fled from justice and cannot be arrested by ordinary process of law:



NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said James M. Norvall, to the sheriff of said county of Cooper at the county seat thereof, at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 6th day of December A. D. 1879.

By the Governor:

JOHN S. PHELPS.

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

DECEMBER 17, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 115*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS James Sewell was by the judgment of the criminal court of Pettis county at the November term A. D. Eighteen hundred and seventy-eight convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this state. Now Therefore I, John S. Phelps Governor of the State of Missouri, by authority in me vested, and for good and sufficient reasons appearing, do hereby remove the aforesaid disabilities imposed upon the said James Sewell by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this seventeenth day of December A. D. Eighteen hundred and seventy nine.

By the Governor

JOHN S. PHELPS.

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

DECEMBER 17, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 115-116*

*State of Missouri, To all who shall see these presents: Greeting:*

WHEREAS E. Longan, was by the judgment of the criminal court of Pettis county at the November term AD. eighteen hundred and seventy eight convicted of selling liquor without license and thereby became disqualified from obtaining a license to keep a dram shop within this state.

NOW THEREFORE—I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities aforesaid imposed on the said E. Longan by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this seventeenth day of December A. D. eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

## OFFERING A REWARD

DECEMBER 18, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 117*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, L. D. Rhoades and William Cooksey stand charged by indictment with the crime of grand larceny in the county of Mercer and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and



for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of each of said fugitives, L. D. Rhoades and William Cooksey to the sheriff of said county of Mercer at the county seat thereof at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) state of Missouri. Done at the City of Jefferson  
this 18th day of December A. D. 1879.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

DECEMBER 20, 1879

*From the Register of Civil Proceedings, 1879-1882, pp. 117-118*

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*State of Missouri, To all who shall see these presents—Greeting:*

WHEREAS, Joseph Stricklan was by the judgment of the circuit court of Maries county at the April term AD. eighteen hundred and seventy seven convicted of selling liquor on Sunday and thereby became disqualified from obtaining a license to keep a dram shop in this state.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the aforesaid disabilities imposed upon the said Joseph Stricklan by reason of such conviction.

In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this twentieth day of December AD.  
Eighteen hundred and seventy nine.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



### OFFERING A REWARD

JANUARY 3, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 120*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John Stewart stands charged by indictment with the murder of David Reed in the county of Platte, and has fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said fugitive, John Stewart to the sheriff of said county of Platte, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 3rd day of January A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JANUARY 17, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 124*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS, Peter Hamill, was at the November term A. D. Eighteen hundred and seventy-five, of the circuit court of Nodaway county, convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram-shop within this state:

NOW THEREFORE—I John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and



for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Peter Hamill by reason of such conviction

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this seventeenth day of January A. D. Eighteen hundred and eighty.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JANUARY 26, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 126*

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*The State of Missouri, To all who shall see these presents:—  
Greeting:*

WHEREAS, Joseph Huber was on the twentieth day of September A. D. 1869 of the Johnson county court of common pleas; and on the eleventh day of June A. D. 1874 of the circuit court of said Johnson county, convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state, Now Therefore—I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Joseph Huber by reasons of such convictions.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson, this twenty sixth day of January AD. Eighteen hundred and eighty.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

FEBRUARY 24, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 134*

*The State of Missouri, To all who shall see these presents:—  
Greeting:*

WHEREAS—Sandford Freeman was, at the August adjourned term AD 1877, of the circuit court of Clay county, convicted of grand larceny and sentenced to the penitentiary of this state for the term of two years, and thereby became disqualified to be sworn as a witness, or to vote at any election, or to hold any office of honor or profit or trust within said state. Now Therefore, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Sandford Freeman by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this twenty fourth day of February AD. Eighteen hundred and eighty.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

## OFFERING A REWARD

FEBRUARY 25, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 135*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, S. S.

WHEREAS John Brown and Emma Brown stand charged by affidavit with the murder of George Brown in the county of Cooper, and have fled from justice and cannot be arrested



by ordinary process of law, Now, Therefore, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars, each, for the arrest and delivery of said John Brown and Emma Brown, to the sheriff of said county of Cooper, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 25th day of February AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

MARCH 6, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 139*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS John Felker has been convicted in the Maries circuit court of violations of the dram shop law and thereby became disqualified to obtain a license to keep a dram shop within this state—Now Therefore I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said John Felker.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this sixth day of March AD. Eighteen hundred and eighty.

JOHN S. PHELPS,

By the Governor

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

MARCH 10, 1880

*From the Register of Civil Proceedings, 1879-1882, pp. 140-141*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS William Hilderbrand stands charged by indictment with the murder of Hugo Veth in the county of Jefferson, and has fled from justice and cannot be arrested by ordinary process of law—

NOW THEREFORE—I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two Hundred dollars for the arrest and delivery of said William Hilderbrand to the sheriff of said county of Jefferson, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this 10th day of March A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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*ON THE COMPLETION OF THE STATE LUNATIC  
ASYLUM AT ST. JOSEPH*

MARCH 29, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 145*

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EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, March 29, 1880.

WHEREAS, information has been received by me from the commissioners for rebuilding the Missouri State Lunatic Asylum No. 2, at St. Joseph, that the building has been completed and is now ready for the reception of patients.



THEREFORE I hereby give notice that those who may be entitled to its benefits will be received at said asylum when application shall be made in accordance with law.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great seal of the State of Missouri. Done at the City of Jefferson this 29th day of March AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

APRIL 3, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 148*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Pinkney A. Baker stands charged by indictment with the murder of James Middleton, in the county of St. Francois, and has fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two Hundred dollars for the arrest and delivery of said Pinkney A. Baker to the sheriff of St. Francois, county at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 3rd day of April AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON DECLARING CERTAIN COMMISSIONS VACATED

APRIL 7, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 149*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by law, I, John S. Phelps, Governor of the State of Missouri, hereby declare vacated, from and after the first day of May 1880, all commissions heretofore issued to persons residing in any of the states or territories of the United States, or foreign countries, as commissioners of deeds for the State of Missouri, who have failed to duly qualify as such commissioners as required by section 641, of the revised statutes of the State of Missouri of 1879.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this seventh day of April A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

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## ON REMOVAL OF DISABILITIES

APRIL 23, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 153*

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*The State of Missouri, To all who shall see these presents  
Greeting:*

WHEREAS Thomas Griffin was at the March term 1870, of the circuit court of Morgan County, convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state



NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Thomas Griffin by reason of such conviction

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of  
Jefferson this 23rd day of April A. D. 1880.

JOHN S. PHELPS.

By the governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

MAY 8, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 156*

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*The State of Missouri, To all who shall see these presents:  
Greeting:*

WHEREAS Patrick McNellis was at the March term 1880 of the circuit court of Nodaway county convicted of selling beer to a minor, and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Patrick McNellis by reason of such conviction

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jef-  
ferson this eighth day of May A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

MAY 10, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 157*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS John L. Barr was at the March term 1876 of the circuit court of St. Clair county, convicted of bigamy and sentenced by said court to imprisonment in the penitentiary of this state for a term of two years, and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election or to hold any office of honor, profit or trust within said state; and Whereas upon the recommendation of the inspectors of the penitentiary a pardon was issued to said John L. Barr on the 8th day of September 1877 at the expiration of three fourths of said term of two years.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said John L. Barr by reason of such conviction.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 10th day of May AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

MAY 14, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 160*

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## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John W. Patterson stands charged by indictment with the murder of James G. Clark in the county of Henry and has fled from justice and cannot be arrested by ordinary process of law. Now Therefore I—John S. Phelps, Governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and delivery of said John W. Patterson to the sheriff of Morgan county at Versailles the county seat thereof at any time within twelve months from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 14th day of May AD. 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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*ON REMOVAL OF DISABILITIES*

JUNE 18, 1880

*From the Register of Civil Proceedings, 1879-1882, pp. 172-173*

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*The State of Missouri, To all who shall see these presents:  
Greeting:*

WHEREAS John C. Bales was at the November term 1879 of the circuit court of Ray county convicted of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop within this state.



NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said John C. Bales by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 18th day of June A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JUNE 25, 1880

*From the Register of Civil Proceedings, 1879-1880, p. 176*

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*State of Missouri, To all who shall see these presents—Greeting:*

WHEREAS John Eilers was at the term 1874 of the circuit court of Nodaway county convicted of selling liquor to a minor and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE—I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said John Eilers by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this twenty fifth day of June AD. 1880

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

JUNE 29, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 177*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS, William R. Jackson was at the May term 1880, of the circuit court of Ray county convicted of selling liquor without license and thereby became disqualified to keep a dram shop within this state—

NOW THEREFORE I—John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said William R. Jackson by reason of such conviction.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this Twenty ninth day of June AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

## OFFERING A REWARD

JULY 8, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 180*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, July 8, 1880.

WHEREAS—J. B. Farrell stands charged by indictment with the crime of forgery in the third degree, in the county of Montgomery and has fled from justice and cannot be arrested by ordinary process of law—

NOW THEREFORE, I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and



for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and delivery of said J. B. Farrell to the sheriff of said county of Montgomery, at the county seat thereof at any time within one year from the date of these presents.

The county of Montgomery has also offered a reward of Fifty dollars for the arrest of said fugitive payable upon the usual conditions.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 8th day of July A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

JULY 13, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 182*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that Benjamin F. Drinkard, generally called Frank Drinkard, was at the May term 1880 of the circuit court of Macon county, convicted of the crime of murder and sentenced to ninety nine years imprisonment in the penitentiary, and on the night of the 25th day of June broke jail, and is now at large and cannot be arrested by ordinary process of law.

NOW THEREFORE I—John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said Benjamin F. Drinkard to the sheriff of Macon county, at Macon City within twelve months from this date *Provided* the said Drinkard shall be apprehended



without the limits of this state; if apprehended within this state One hundred dollars will be paid for his arrest and delivery as aforesaid.

A. J. Davis, sheriff of Macon county has also offered a reward of One hundred and fifty dollars for the arrest of said Benjamin F. Drinkard

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 13th day of July AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JULY 30, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 186*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

John Reiter was at the May term 1874 of the circuit court of Atchison county convicted of selling liquor to a minor, and thereby became disqualified to obtain a license to keep a dram shop within this state. Now Therefore I, John S. Phelps, Governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said John Reiter by reason of such conviction.

In Testimony Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at the City of Jeffer-  
son this 30th day of July AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

AUGUST 4, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 190*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS M. J. Daugherty and T. B. Daugherty stand charged with the crime of murder in the county of Christian, and have fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE, I—John S. Phelps—governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Seventy five dollars each for the arrest and delivery of said M. J. Daugherty and T. B. Daugherty to the sheriff of Christian county, at Ozark, at any time within twelve months from the date of these presents. The sheriff of Christian county has also offered a reward of fifty dollars for the delivery of M. J. Daugherty and the county of Christian has offered a reward of fifty dollars for the delivery of T. B. Daugherty to the sheriff of Christian county.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this fourth day of August AD 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

AUGUST 9, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 193*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS John Newman was, at the April term 1878, of the circuit court of Clark county, convicted of grand larceny and sentenced by said court to imprisonment in the penitentiary of this state for a term of two years and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election, or to hold any office of honor, profit or trust within said state.

NOW THEREFORE—I, John S. Phelps Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed on said John Newman by reason of such conviction.

In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this ninth day of August AD. 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

AUGUST 19, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 197*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Francis M. Starkey was at the March term 1879 of the circuit court of Nodaway county, convicted of petit larceny, and sentenced by said court to imprisonment



in the county jail of said county, and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election or to hold any office of honor, profit or trust within said state

NOW THEREFORE—I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Francis M. Starkey by reason of such conviction.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri—Done at the City of Jefferson this 19th day of August A. D. 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

AUGUST 23, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 199*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, William Petrie stands charged by affidavit with the murder of David Ingraham in the county of Stoddard, and has fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE—I—John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said William Petrie to the sheriff of said county of Stoddard, at the county seat thereof at any time within one year from the date of these presents.



In Testimony Whereof I have hereunto set my  
hand, and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of  
Jefferson this 23rd day of August A. D. 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

SEPTEMBER 13, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 205*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Jere Walker, Lum Walker, William Phillips, George Flippo, William McElmurray —Flippo alias Bill Smith, stand charged by indictment with the murder of Buck Hampton in the county of Stone, and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE—I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One Hundred and fifty dollars, each, for the arrest and delivery of said Jere Walker, Lum Walker, William Phillips, George Flippo, William McElmurray and —Flippo, alias Bill Smith, to the sheriff of said county of Stone at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 13th day of September AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

SEPTEMBER 14, 1880

*From the Register of Civil Proceedings, 1879-1882, pp. 206-207*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Campbell Engle, stands charged by indictment with the murder of Edward G. Godsey, in the county of Nodaway, and has fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE—I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Campbell Engle to the sheriff of said county of Nodaway, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri Done at the City of Jefferson this 14th day of September A. D. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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*SUSPENDING GEORGE E. MAYHALL FROM  
OFFICE*

OCTOBER 9, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 216*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, JEFFERSON CITY,  
October 9, 1880.

WHEREAS—I have been furnished with a duly certified copy of an indictment preferred on the 29th of September AD. 1880, against George E. Mayhall by the grand jury of



the Hannibal court of common pleas in Marion County in this state, charging him with a wilfull and deliberate violation of the duties of his office of coal oil inspector for the town of New London, Ralls county.

NOW THEREFORE, by virtue of the authority vested in me by law, and for the cause aforesaid, I—John S. Phelps, governor of the state of Missouri do hereby suspend the said George E. Mayhall from the duties of his said office during the pleasure of the governor.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the City of Jefferson this ninth day of October AD. Eighteen hundred and eighty.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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## ON THE ENFORCEMENT OF ELECTION LAWS

OCTOBER 21, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 221*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS I have reliable information that persons who do not possess the requisite qualifications of voters have been registered as qualified voters in the City of St. Louis, and that such persons will endeavor to vote at the ensuing election—

NOW THEREFORE, to secure a free, full and impartial vote to all those who are entitled to vote, and to exclude fraudulent and illegal voters, I do hereby direct the sheriff, his deputies, the metropolitan police force of said city and all other executive officers of the state, in said city, to see the laws concerning registration and election be strictly enforced and faithfully executed: And that said officers



shall specially aid the board of revision in correcting and making perfect the registration lists of said city: and that said officers, as well as the officers charged with the duty of conducting the ensuing election, shall use their utmost endeavors to secure a fair and legal election and aid in the discovery, detection and arrest of those persons who have illegally registered themselves as voters, or who may illegally vote in said election—Let the purity of the ballot be preserved by the punishment of the guilty.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of  
Jefferson this 21st day of October A. D. 1880.  
JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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## ON REMOVAL OF DISABILITIES

OCTOBER 21, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 222*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS William H. Smith was at the November term 1874, of the circuit court of Nodaway county convicted of selling liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said William H. Smith by reason of such conviction.



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal  
(Seal) of the State of Missouri—Done at the City of  
Jefferson this 21st day of October AD. 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. MCGRATH, Secretary of State.

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## ON THE ENFORCEMENT OF ELECTION LAWS

OCTOBER 28, 1880

*From the Register of Civil Proceedings, 1879-1882, pp. 224-225*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it is apprehended attempts will be made to  
perpetrate frauds at the ensuing election in this state.

NOW THEREFORE, to secure a free full and impartial  
vote to all those who are entitled to vote and to exclude  
fraudulent and illegal voters and to preserve the purity of  
the election, I do hereby direct the sheriff of every county  
in this state and their deputies, the marshals of all towns,  
cities and counties, and their deputies, the police force of  
every town and city within their respective jurisdictions,  
and all other executive officers of the state to see that the  
laws regulating and pertaining to elections be strictly  
enforced and faithfully executed.

And that all of said officers, as well as the officers  
charged with the duty of conducting elections, shall use  
their utmost endeavors to secure a fair and legal election,  
and aid in the discovery, detection and arrest of those  
persons who may illegally vote in said election, or commit  
any other violation of the law relating to elections. It  
must be specially borne in mind "Each voter shall vote *only*  
in the township in which he resides, or if in a town or city,  
then in the election district therein in which he resides"



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the City of Jefferson this 28th day of October AD 1880.

JOHN S. PHELPS.

By the Governor

MICH'L K. McGRATH, Secretary of State.

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### ON THANKSGIVING

NOVEMBER 2, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 227*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

The labors of the husbandmen have been bounteously rewarded; the crops have been saved and securely garnered; we have been spared the afflictions of a pestilence; good health has prevailed; the manufacturers have increased their labors; the railroads of our state are burdened in transporting our products to market; business of all kinds has revived and is prosperous; quiet and good order have prevailed; the laws have been faithfully executed and enforced. For all these blessings, and many others we have enjoyed, let us give thanks to Almighty God.

THEREFORE, I, John S. Phelps, governor of the state of Missouri, do hereby appoint and designate Thursday the 25th. inst, as a day of Thanksgiving, and do recommend the people of the state shall, on that day, assemble in their respective places of public worship and give thanks to the Lord for the many blessings with which we have been favored, and pray for their continuance

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 2nd day of November A. D. 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

NOVEMBER 10, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 242*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Joseph Collier stands charged by affidavit with the murder of Joseph House in the county of Madison, and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One Hundred and Fifty dollars for the arrest and delivery of said Joseph Collier to the sheriff of Madison county at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of  
Jefferson this 10th day of November AD. 1880.  
JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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*OFFERING A REWARD*

NOVEMBER 27, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 274*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS William A. Salisbury stands charged by indictment with the murder of Lowsen Pope in the county of Butler, and has fled from justice and cannot be arrested by ordinary process of law.



NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said William A. Salisbury to the sheriff of said county of Butler, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the  
(Seal) state of Missouri. Done at the City of Jefferson  
this 27th day of November A. D. 1880

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

DECEMBER 15, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 284*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS William F. Martin, convicted of murder in the first degree in the county of Laclede, has broke jail and fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I—John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two-hundred dollars for the arrest and delivery of said William F. Martin to the sheriff of Laclede county, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of  
Jefferson this 15th day of December, A. D. 1880.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## OFFERING A REWARD

DECEMBER 16, 1880

*From the Register of Civil Proceedings, 1879-1882, pp. 284-285*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS W. Tim Barham, William Nash and Jesse Winn stand charged by affidavit in the county of Dunklin with the murder of John C. Crawford in said county on the 17th day of November 1880, and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, John S. Phelps, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reason appearing do hereby offer a reward of One hundred and fifty dollars each for the arrest and delivery of said W. Tim Barham, William Nash and Jesse Winn to the sheriff of said county of Dunklin, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 16th day of December A. D. 1880  
JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

JANUARY 6, 1881

*From the Register of Civil Proceedings, 1879-1882, pp. 290-291*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS J. C. Bales was heretofore convicted in the circuit court of Ray county of violation of the dram shop law and thereby became disqualified to obtain a license to keep a dram shop within this state. NOW THEREFORE I, John S. Phelps, governor of the state of Missouri, by virtue



of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said J. C. Bales by reason of such conviction; and declare the said Bales, so far as said convictions are concerned, is as fully entitled as ever he was, to be licensed to keep a dram shop.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at the City of Jefferson this sixth day of January AD. eighteen hundred and eighty one.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JANUARY 6, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 291*

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*State of Missouri, To all who shall see these presents—Greeting:*

WHEREAS William R. Jackson was heretofore convicted in the circuit court of Ray county of violation of the dram shop law and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE I John S. Phelps, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said William R. Jackson by reason of said conviction; and declare the said Jackson as far as said convictions are concerned is as fully entitled as ever he was to be licensed to keep a dram shop.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this sixth day of January A. D. eighteen hundred and eighty-one.

JOHN S. PHELPS.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## MEMORANDA OF PROCLAMATIONS, WRITS OF ELECTION AND VETO NOTICE

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MAY 24, 1877

*From the Register of Civil Proceedings, 1874-1878, pp. 397-398*

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The Governor returned to the office of the secretary of state, bills of the following titles (presented to him within the ten days next preceding the adjournment of the general assembly) *without his approval*:

An act directing the state board of equalization to assess, adjust and equalize the railroad property in the state of Missouri for the years 1876 and 1877.

An act to revise and amend the laws in relation to the organization and support of public schools and to repeal certain acts relating thereto.

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SEPTEMBER 17, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 446*

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The Governor issued writs to the sheriffs of Cass and Johnson county ordering an election to be held in said counties on the 29th of September, inst. for a judge of the seventh judicial circuit to fill the vacancy caused by the resignation of Judge Wm. S. Shirk.

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SEPTEMBER 27, 1877

*From the Register of Civil Proceedings, 1874-1878, p. 451*

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The Governor issued a writ to the sheriff of Osage county ordering an election to be held in said county on the 16th of October 1877, for a county judge to fill the vacancy caused by the death of judge James G. McKnight.



SEPTEMBER 16, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 576*

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The Governor issued writs to the sheriffs of the counties of Bollinger, Madison, Perry, St. Francois, and Ste. Genevieve ordering an election to be held in said counties on the 5th day of November 1878 for a judge of the 20th judicial circuit to fill the unexpired term of the Hon. Jno. B. Robinson deceased.

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SEPTEMBER 30, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 581*

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The Governor issued a writ to the sheriff of Audrain county ordering an election to be held in the counties composing the Ninth senatorial district on the 5th day of November 1878, for the election of a state senator from said district to fill the vacancy caused by the resignation of Hon. John A. Flood.

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OCTOBER 22, 1878

*From the Register of Civil Proceedings, 1874-1878, p. 587*

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The Governor issued a writ to the sheriff of the city of St. Louis authorizing an election to be held in said city on the 5th of November 1878 to elect a public administrator to serve for a term of two years.

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JANUARY 23, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 9*

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The Governor issued a writ to the sheriff of the county of Dunklin ordering an election to be held in said county on the 8th day of February 1878 for a representative from said county to the 30th General Assembly to fill the vacancy caused by the death of the Hon. Jesse Long.



MARCH 24, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 33*

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The Governor issued writs of election to the sheriffs of the Counties of Camden, Cooper, Morgan, Cole, Miller and Moniteau, ordering an election to be held in said counties on the sixth day of May 1879 for the purpose of electing a judge of the first-judicial circuit to fill the vacancy in said circuit caused by the death of Judge George W. Miller.

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DECEMBER 10, 1879

*From the Register of Civil Proceedings, 1879-1882, p. 114*

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The Governor issued writs of election to the sheriff of the counties of Cole, Miller, Camden, Hickory, Polk, Dallas, Lafayette, Johnson, Pettis, Moniteau, Morgan, Benton and Cooper, composing the Seventh Congressional district, ordering an election to be held in said counties on the tenth day of January 1880 for the election of a representative in congress from said district to fill the vacancy in said district caused by the death of the Honorable A. M. Lay.

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AUGUST 6, 1880

*From the Register of Civil Proceedings, 1879-1882, p. 192*

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The Governor issued writs to the sheriffs of the counties of Iron, Madison, Bollinger, Wayne, Butler, Reynolds, Carter, Ripley, Oregon and Shannon—composing the Twenty fourth senatorial district, ordering an election to be held in said district on the second day of November 1880 for the purpose of electing a state senator from said district to fill the vacancy therein caused by the death of John B. Duchouquette.





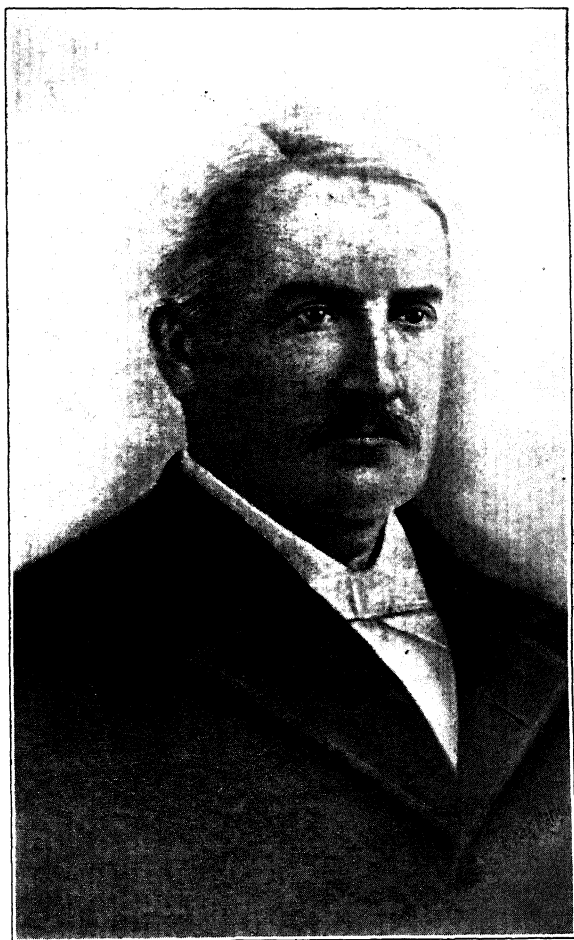


**GOVERNOR THOMAS THEODORE CRITTENDEN**









THOMAS T. CRITTENDEN  
Governor 1881-1885







## THOMAS THEODORE CRITTENDEN

BY

SARAH GUITAR

Thomas Theodore Crittenden, twenty-fourth governor of Missouri, was born near Shelbyville in Shelby county, Kentucky, January 1, 1832. He was a member of the old and distinguished Crittenden family of Kentucky, his father, Henry Crittenden, being a younger brother of John J. Crittenden, governor of and U. S. Senator from Kentucky. His mother was a daughter of Colonel John Allen, an eminent Kentucky lawyer.

Young Crittenden received his primary education in the log cabin school at Cloverport, and, in 1852 entered Centre College, at Danville, Kentucky. He was graduated from this institution in 1855, and at once took up the study of law at Frankfort, in the office of his uncle, John J. Crittenden, one of the most eminent members of the Kentucky bar. Crittenden was admitted to the bar by Chief Justice Simpson of the Supreme Court of the state, at Winchester in 1856.

He was married on November 13, 1856, to Miss Caroline W. Jackson of Frankfort, Kentucky. To this union were born four children, three sons, and one daughter: Henry Houston, Thomas T. Jr., William, and Caroline A. Crittenden. The daughter, Caroline, died in Jefferson City at the executive mansion during her father's term as governor.

In the summer of 1857 Mr. Crittenden came to Missouri, locating at Lexington in Lafayette county, where he was admitted to the bar and began the practice of law. It was at this time that he formed a partnership with Judge John A. S. Tutt. Upon the death of Attorney-General Aikman Welch in 1864, he was appointed by Governor Hall to fill out the unexpired term of this officer.



At the outbreak of the Civil War he entered the Federal service and, with Judge John F. Philips, became active in organizing a regiment of Union troops. The command was mustered into service in 1862 as the Seventh Cavalry of the Missouri State Militia, with John F. Philips as colonel and Thomas T. Crittenden, lieutenant-colonel. Crittenden served continuously throughout the remaining three years of the war and before the regiment was mustered out of service on April 7, 1865, had risen to the rank of colonel.

At the close of the war he resumed the practice of law at Warrensburg, where, in 1867, he formed a partnership with General F. M. Cockrell and became the head of the law firm of Crittenden and Cockrell. This partnership was dissolved in 1875, when General Cockrell was sent to the United States Senate.

Colonel Crittenden was elected to the United States Congress from the Seventh Congressional District in 1872. He served one term and in 1874 was defeated for renomination, in the famous contest between Colonel Philips, A. M. Lay and himself, in which over 600 ballots were taken. Colonel Philips was finally nominated on the 690th ballot. In 1876 Crittenden again represented his district in Congress, serving until 1878, when he refused to become a candidate for re-election.

In 1880 he secured the Democratic nomination for governor, over John S. Marmaduke and John A. Hockaday, the other two Democratic candidates. He was elected governor, defeating the Republican candidate, David P. Dyer, by a plurality of 54,034.

One of the most notable acts of Governor Crittenden's administration was the institution of the suit of the State of Missouri against the Hannibal and St. Joseph Railroad for the payment of the \$3,000,000 bonds loaned to that road in 1851 and 1855. The suit was settled in favor of the State and the road paid the claim in full, with the accrued interest. It was also during Crittenden's term as governor, and due to his energetic efforts, that the outlaw band, headed by the James brothers, which had terrorized



the state for more than thirteen years, was finally broken up.

At the close of his administration as governor, Crittenden took up his residence in Kansas City, where, in 1885, he became a member of the law firm of Crittenden, McDougal and Stiles.

In 1893, during the second administration of President Cleveland, he was appointed United States Consul-General to Mexico. With the close of his diplomatic career in 1897 he returned to Kansas City. He died there on May 29, 1909.



## INAUGURAL ADDRESS

JANUARY 10, 1881

*From the Journal of the House of Representatives, pp. 53-67*

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*Gentlemen of the Senate and House of Representatives:*

Called by a majority of the people of Missouri, and to that majority a cordial acquiescence being given by an intelligent minority, to assume the duties of Chief Magistrate of the State, I am ready to devote my time and attention to the requirements of the office, and now promise you an earnest co-operation in all that may tend to promote the well-being and well-doing of this great commonwealth. My predecessor having filled the office with such distinguished ability, and performed its duties with such singular success, leaves it a difficult place to occupy. I may not bring to the performance of those duties as much ability as he displayed during the four years he made honorable the office, yet I will strenuously endeavor to make his administration, in many things, a model worthy of the closest imitation. In contemplating the peace, plenty and security bestowed upon us by the Creator of all things, we should at once bow our heads and hearts in recognition of His kindness and mercy, and exhibit, at all times, our gratitude and praise of Him for the happiness of our people. No people are more greatly blessed than ours, not only in this State, but throughout our whole land. While England, Ireland, France, Russia, Spain and Germany are, to a greater or less extent, agitated and unsettled by unhappy and discontented populations, peace and contentment prevail throughout our land. Our prosperity is a marvel to the older nations of the earth. Ours is the only country upon the face of the globe that is self-sustaining. If the oceans and gulf, guarding like sleepless sentinels our borders, were, by some magical power, changed at a moment into broad expanses of fire, thereby limiting our people to the



productive capacities of our soil and the inherent energy of their natures for their support and prosperity, no panic would be created on this continent by the separation, and no deprivations causing want and sorrow would follow. We are infinitely more independent of other nations than they are of us; therefore we, as a people and government, should form no "entangling alliances" with them, only to cultivate friendly associations and establish peaceable and bloodless solutions of all vexed questions when the occasions occur. "Blessed is the peacemaker," is as applicable to the nation as to the individual. No chance guided our people to such a land as this. Ours are a people of marked characteristics, and ours is a country peculiarly fitted for the abiding place of such a people, possessing a soil of unsurpassed fertility, a vigorous and varied climate, and all the necessary and natural means of greatness and independence. With the past full of happiness and greatness, we have but to wisely use our advantages with thankfulness and wisdom; then the future will be still more abundant of those gifts and blessings which insure a glorious destiny to our favored land. Missouri forms no unimportant part of this country, occupying almost the geographical center of the Union, with its vast resources and capabilities, penetrated and enriched by two of the greatest rivers in the world, with her railroads reaching in every direction, and new ones being daily constructed, constitute it, as it were, the very key of the arch of the union of these States, which must and will bind them together forever and ever. Here the civilization of the North and the South meet on common soil and become one, as the climate of both sections here meet and mingle into one of strength and beauty. Such a State can never become sectional from the very nature of its position and climate; here the cereal of the North and the cotton of the South grow and flourish side by side, and here the oak of the West and the pine of the South spring in grandeur from the same soil. There is no part of this wonderful State that is not susceptible of being made into lovely homes and peaceful abodes. Nature



smiles kindly upon every part of the State, and there is no production known to the hand of husbandry and industry that cannot be grown from her soil and produced from her mineral wealth. In the last decade Missouri has made rapid progress in increase of population, ranking as the fifth State in the Union, and growing more rapidly than any State east of the Mississippi, except Michigan, and surpassed West only by Texas and Kansas, and will, in the next decade, attain three millions of population if the same ratio of increase continues. The name of Missouri is heard all over the Union in language of commendation, and with the assertion that it is yet destined to become one of the foremost of the sisterhood of States. Let us do nothing by unwise legislation to check her prospective greatness, and then it will be said of us, in after-times, we have not abused the confidence of the people. With no less love for this, the State of my adoption, than for the revered one which gave me birth, I am now ready to tender her my services and the watchful care of the great office to which her people have so generously elevated me.

Its indebtedness is insignificant compared to its capacities and possibilities. The eminent divine, Henry Ward Beecher, said in a recent article: "The breadth of land from the Red river country of the North, stretching to the Gulf of Mexico, including Minnesota, Wisconsin, Illinois, Iowa, Missouri, Kansas and Texas, is one of the most wonderful agricultural spectacles of the globe. It is one of the few facts that are unthinkable. In this ocean of land, and nearly its center, *stands the Imperial State of Missouri.*" Even a Kansas man admits that in natural qualifications it leads all the rest, and is the crown and glory of all the Union. It has boundless treasures of iron, coal, lead, and other minerals; lands richer there cannot be, nor finer, purer streams; its forests are more equally distributed over the State than in any other; its climate, wholesome and delightful, blends the temperature of the northern lakes and the great southern gulf, and, as one of our distinguished citizens has said: "Here one can create for himself a home in the



fullest meaning of the word, a home where he can sit under his own vine and tree, and eat bread made from his own grain, quaff wine from his own vineyard, smoke a pipe filled from his own planting, while he and his family may be clad in cottons, linens, woollens and silks grown upon his own freehold." The value of these facts is apparent when we consider how rarely all these blessings are combined in any State in this Union, or in any territory of the same area upon the face of the globe.

We should, in a State like this, legislators, make the laws broad, wise, and effective, in meeting not only the demands of the present, but also commensurate to the probabilities of the future. Capital and population are less localized in the world to-day than ever before, as so many new fields are presenting themselves for occupation, and those will reap the richest harvests of both, all other things being equal, that afford the greatest protection in law and investment. New forces are being inaugurated in our midst daily, and it is the part of wisdom to so guard, protect and restrain them by liberal legislation, as not to repress their full development upon the one hand, nor deter the introduction of others upon the other. Prejudice is more often based on ignorance than on enlightenment, and at an era like this, when so much may be gained by liberality of thought, the greatest degree should be exercised. The future prosperity of the State, as well as the fullest development of its resources, will, and do, depend upon the enactment of liberal laws and their fearless enforcement against all violators, that the depredators may know that the protection of life and property are the essential desideratums of all well regulated societies. We should let all know that Missouri cannot be the home and abiding place of lawlessness of any character. No political affiliations shall ever be evoked as the means of concealment of any class of law-breakers, but when crime is committed, pursuit and punishment will be inflicted under the forms of the law without fear, favor or affection. And it should be also known that no court of this State, or its processes, can be



used by any through malice or favor, to punish or vex any person not guilty of a crime, nor to shield any, whatever may have been his past association or standing in society. Courts are established for two purposes: to punish the guilty and protect the innocent, both in criminal and civil law, and when diverted from these two purposes by evil men, then a crime is committed against society. When courts do their duty, mob violence is seldom known, as that violence is, in fact, but a protest and revolt against the corruption and inefficiency of the regular officers of the law. Being a witness to the good flowing from the wise administration of the affairs of the State for the last four years, I now declare that it is my determination to pursue, as before said, as far as possible, the same line of policy, and then leave it to the future to vindicate my right of judgment by the consequences of my performance. As far as it is within my power, I shall protect every dollar of investment made in this State by corporations or individuals—desiring to make life and property as safe here as in any State in the Union. Millions of money are being expended in this State at present, in the shape of organized capital, by our own citizens, and those of other States, in the purchase of old and the construction of new lines of railroads; in the resuscitation of old and the opening of new mines of coal, iron, zinc and lead; in the rehabilitation of old farms, and the opening of new ones; in the rebuilding of old mills, long gone to decay, and in the construction of new ones; and in the projection of other enterprises of great pith and moment to the State. Around all such investments we should place the panoply of just laws, extending to them no more and no less legislation than is given to society in general, giving the investors to understand that a recognition of, and an obedience to, the laws of the State will be required, even to the minutest demand, and in return, such investments will be protected to the strictest letter and spirit of the law. We should make no discriminations in our laws against those making such investments, nor will capital be permitted to discriminate against our people in the manage-



ment of their investments. A mutual regard for the rights of each will be productive of the greatest good to all. There are vested rights in society as well as in corporations, and there is a remedy for the violation of the one as of the other. It is gratifying to learn that the limited means furnished by the Legislature and citizens of the State to promote immigration has done so much good. I urge upon this body the wisdom of supplying greater means and greater facilities for accomplishing this end. No money can be more wisely used, and if wisely used, more fruitful of excellent results. Missouri should have one or more intelligent representatives in Europe, inviting immigration to this State. We should not be behind other States in this important enterprise. Nor would it be unwise to have one located in the City of New York to meet, consult with and advise the immigrants daily landing at that port. Compared to the capacity of the State, it is quite sparsely populated. If populated as densely as Massachusetts it would have 11,000,000 of people. There are two essential causes that will make it one of the foremost States of the Union. First, having all the necessary ingredients to make it a manufacturing State of great proportions, it will inevitably become so. Second, its boundless pastoral and agricultural resources will maintain it in the forefront of the State. From being ranked as the 23d State in 1821, with a population of 66,557, it is now the fifth State, with a population of 2¼ millions. In the name of the State, I cordially invite the honest, intelligent and industrious immigrant of any nationality to cast his lot in our midst at this auspicious time, and he will find his new home surrounded by good schools, excellent church and mail facilities, moral society, and as broad political and social privileges as can be found in any land. Gov. Fletcher, a former Republican Governor of this State, recently said in a public address: "That nowhere is the personal liberty or the political privileges of the citizen better assured by constitutional provision and legislative enactment; that nowhere on the earth are the political rights of the citizen held more inviolate, or more uninterruptedly enjoyed by



every class, condition or color of citizen, than in Missouri." This standard of protection shall not be lowered during my administration. The educational interests of the State are fixed upon a firm foundation, and should be sacredly guarded and wisely fostered. Parsimony towards education is liberality towards crime. Let us preserve the University of the State, the Normal Schools, that also of Metallurgy, and the common schools, with vigilance, and if prodigal at all in expenditure of the people's money, let it be in the interest of education. Education is contagious and every facility should be given for its diffusion. Crime as inevitably gives way before the march of education as the Indian, the wolf and the buffalo do before the tread of civilization. No State is great until its educational facilities are great, and at the door of the poor boy in the cabin, as well as within the reach of the spoiled child of fortune. There is no cheaper defence to a community or a commonwealth than education. It is a stronger and safer bulwark, more unflinching and vigilant than the most powerful armaments of wood, iron and steel, and it makes its recipients the boldest defenders of the right and the most uncompromising enemies of the wrong. I repeat again an earnest recommendation of this subject to this honorable body. Let no efforts be considered too great, no patience too exhausting, and no means too arduous to extend it to all classes of society. Let us exhibit to the nation the noble spectacle of Missouri educated as she should be, her sons and daughters adding the grace, and powers, and virtues, of cultivated minds to their fine natural qualities and those who have contributed to bring about the results, will be entitled to the lasting gratitude of posterity. I append to this address the following statistics on education taken from the report of our Superintendent of Public Schools.



## EDUCATION IN MISSOURI

The following statistics are taken from the office of the State Superintendent of Public Schools:

No. of school houses in the State.....	8,240
No. of houses rented for school purposes.....	298
Total.....	8,547
No. of white schools in operation.....	8,149
No. of colored schools in operation.....	492
Total.....	8,641
No. of white children between 6 and 20 years of age.....	681,995
No. of colored children between 6 and 20 years of age.....	41,480
Total.....	723,484
No. of teachers employed.....	11,659
Attendance of white pupils during the year.....	460,090
Attendance of colored pupils during the year.....	22,896
Total.....	482,986
Value of school property in the State.....	\$7,353,401.22
Amount paid for erection of school buildings.....	113,287.25
Fines, forfeitures, etc., collected.....	51,558.22
Teachers' wages paid during the year.....	2,118,637.36
Total receipts during the year.....	\$4,020,860.30
Total expenditures during the year.....	3,151,178.47

The principal of the various school funds is as follows:

Township school funds.....	\$1,950,732.89
County school funds.....	2,392,723.67
Special school funds.....	1,523,903.19
State school funds.....	2,909,457.11
Seminary fund.....	122,000.00
Total.....	\$8,898,816.86

On the 1st of November 497 students were in attendance at the University, 513 at the Normal School at Kirksville,



237 at Warrensburg, 184 at Cape Girardeau, 105 at the Lincoln Institute, and 71 at the School of Mines.

Missouri has also over one hundred colleges and academies not counted in the foregoing.

The law on taxation in this State should command the most careful consideration. A system should be devised that will be equal in its operations, making every description of property bear its due proportion of the burthens of government and looking to an equitable and just taxation of banks, railroads, lands and stocks, so that capital may be invited and not repelled from the State, in order that there can be no war between capital and labor. Justice always insures peace in society. A reduction of the rate of taxation in the counties and State, can be attained by wise and equitable revenue laws, and the natural consequences of such a reduction would be an increase of population and wealth, and those factors, in turn, would cause still further reductions in course of time, by the introduction of more wealth and still greater population. High taxes provoke discontent and invasions of the law, and should not exist one moment beyond their imperative necessity. The State and county debts should be extinguished as rapidly as possible, compatible with the prosperity and capacity of the people. A great debt is at no time a blessing to a State, a county, or an individual, and the same assiduity should be used to relieve each and all. The course of legislation for the last few years indicates clearly the popular will, that nothing should be done to diminish the power of the State to redeem or refund at maturity her outstanding bonds, and to meet with unwavering promptness every payment of interest at the places and times when they may fall due. I accord most unreservedly my approbation to the stern honesty of our people, that bids them be just before they consult their convenience, their comforts or their growth. The State debt is the result of great measures, conceived a quarter of a century ago by wise men, for the development of its various sections, and in the fruition and maturity of those measures, the State has passed from the rank of



the fifteenth to that of the fifth, and is still marching forward with great boldness and rapidity.

There are two important measures that will in all probability be brought before this body, the refunding of so much of the State indebtedness as is now, or may become due, before the Legislature convenes again. The time is auspicious for refunding that indebtedness, and at a lower rate of interest than the State is now paying. A five per cent. bond would command a ready sale. It would be difficult to make a better or surer investment than in Missouri five per cent. bonds. And the second measure is to so amplify the judicial powers under the Constitution as will in some way relieve the Supreme Court of the embarrassment under which it is now laboring. That court has labored for years with industry, and, under the circumstances, with much honor to the eminent position it occupies, but has been wholly unable to relieve itself of its increased work. That court is so much behind in its labors, it is simply a denial of justice to litigants to await its action, and it is thought that some seek this forum as a means of delay in the settlement of litigated questions.

Credit is the crowning glory of a State and a county. It is to each what honor is to a man, what virtue is to a woman, what faith is to a christian; no stain should tarnish one or the other. There are some counties indebted beyond their capacity to pay. The debts should be comprised upon terms alike just to the creditor and debtor. No oppressive means should be adopted by either. In such cases it is equally as obligatory upon the creditor to meet the debtor upon a possible base of adjustment, as it is for the debtor to meet the creditor upon a reasonable one of acceptance. Repudiation, direct or indirect, should not be considered for a moment. Its conception should bring a blush of shame to every cheek, for no advantage obtained by a community or an individual by violence, dishonor or law cunning, can be permanent or beneficial. It is an enduring shame and the greatest blight that can cast a shadow over a State or a county. No State or county ever ventured upon such a



course that escaped the unhappy consequences. In financial history and moral sentiment, it is "the worm that never dies; is the pestilence that walketh in darkness, and the destruction that wasteth at noonday, and at last biteth like a serpent and stingeth like an adder." It is the darkness of death without the hope of resurrection.

The greatest progress and advancement are made in those counties freest from debt, and also those that show the greatest disposition to adjust their indebtedness upon honorable terms. Few townships, and still fewer counties, have been benefited by litigating their bonded indebtedness, for in the end they will have to pay not only the original indebtedness with long accrued interest, but also large fees and heavy costs, a few vexatious local lawyers being the only ones benefited by the delay. Procrastination is as much the thief of money as of time, and should never be consulted in business transactions when it involves the honor of the individual or the community. Immediately after the war many of the counties of this State were burthened with an unprofitable bonded indebtedness, which has borne heavily upon the people for years, in some instances driving them into desperate acts of lawlessness. While not at all commending the manner in which those debts were created, nor believing for a moment in the honesty of the purposes for which they were created, yet it having been done, and recognized by the judgments of the courts of the State, no resistance should be made against the operation of their judgments. No society, no individual, no property, can be safe and preserved in that community where self-constituted tribunals reverse by violence the decrees of the regularly appointed courts. It is always safer and better for society, as a rule, to live quietly under a bad law, or a corrupt act of a court, than to offer violent resistance to either. In well regulated society, evils and abuses soon correct themselves. In the language of Mr. Jefferson: "Error is never dangerous when truth is left free to combat it." It will be wise in those defaulting counties to adjust upon an equitable basis their indebted-



ness, having learned, by this time, from vexations and costly experience, that in the postponement of an evil no permanent or satisfactory relief is had. It is more honorable, and more in accord with all elevated standards of commercial transactions, to settle fairly, even though unable to pay, than to have no settlement at all.

I think a general registration law should be enacted, but before this can be done the Constitution of the State will have to be amended. Section 5, article 8, of the Constitution limits the power of the Legislature to enact registration laws to cities and counties of certain numbers of inhabitants. The Legislature should consider the propriety of amending the Constitution in the manner and form provided in that instrument as regards registration. It is evident that much illegal voting is done at every regular election in cities and towns of all sizes, and often in the country. The ballot box should be preserved from the unhallowed touch of fraud by severe legislative restrictions, prohibitions and penalties. An impure ballot is a crime against society and good government, and should be condemned by all political parties.

Whatever is necessary to perfect the militia law, should be considered by the Legislature with much care. A well drilled and well regulated militia is of great value to the peace of society, and the stability of the State. I but reiterate in this expression what has been said by our fathers and law-makers, commencing with the message of Gen. Washington, in 1794, and ending with the last congressional report of 1880. I feel assured that your body will not carelessly overlook this important feature of our State government.

For many years the Penitentiary has been a source of great embarrassment to past Legislatures, costing the State each year a large sum of money. Such has not been the case for the last few years, because, under the law, there has been a demand and employment for every able-bodied convict, either inside or outside of the Penitentiary, until during the last winter. Under the present law the lease or



contract system has been abolished, and the convicts withdrawn from outside labor. It will be well for this body to consider the propriety of restoring that system, and engaging in remunerative labor those convicts for whom a demand is not had in the Penitentiary. I am informed there are two hundred convicts comparatively idle. These must necessarily be of heavy cost to the State. The evil should be remedied at an early day; first, on the ground of economy; second, the *morale* of the convicts, as idleness is always the parent of discontent and insubordination. The true theory of success in the management of a penitentiary or any large body of men, is in keeping them constantly and wisely engaged in remunerative employment. The taxpayers of the State expect the convicts to be so used as not to impose additional burthens of taxes on them. They have the right to believe that the Penitentiary can be, and should be, made a self-supporting institution. They, paying the expenses of the Penitentiary should be heard and consulted as to the manner in which convict labor should be employed. There are, in the minds of many, serious objections to such labor being used outside of the Penitentiary, upon the ground that it brings that species of labor in competition with free labor. The Legislature should consider this question calmly and weigh it carefully, but, at the same time, it should not be deterred from doing its duty to the whole people by the clamor of a few. In considering this question, the Legislature should so act as to do full justice to the State, as well as to those opposing the outside use of such labor. Whilst not seeking primarily to make the Penitentiary so much a money-making institution as one of punishment and reformation, yet it should not become, for the want of wise legislation, an onerous burthen to the State. The Legislature should guard the State. The law authorizes the employment of a chaplain at the Penitentiary, paying him five hundred dollars a year. That sum being insufficient to employ the whole time of a competent Christian minister, I think the sum should be increased. If a chaplain is necessary at all, his whole time should be devoted to the physical,



moral and spiritual comforts of the convicts. The State pays the present chaplain five hundred dollars, and some church in this city pays the balance of his salary. The State should not engage in such partnerships, especially not so when it is evidently at the cost and loss of that class who are wholly unable to help themselves. The obligation the minister owes to the church and its membership is of greater force than that due the criminal, and if either must suffer, as it often happens, the criminal will always be that one. The State should not be accessory to such neglect, and should not encourage it longer. Such joint engagements are beneath the dignity of the State, and such economy is unworthy of consideration. Separate, in this instance, church and State, and both will be benefited.

It is gratifying, indeed, to know that the finances of the State are in a satisfactory condition. The embarrassment that unavoidably and temporarily surrounded the Treasurer of the State, has been removed, and upon the close of his official career, he has arranged for the payment of every dollar due the State. When Col. Gates became Treasurer, he, following the long-established custom of his predecessors, deposited the State funds in various banks throughout the State. The custom, it is admitted, was an evil one, and would have been "more honored in its breach than in its observance." Until within the last four years, the Legislature neglected to provide where and how the funds of the State should be provided for, leaving it wholly at the discretion of the Treasurers. A part of the State funds were deposited in the bank of John J. Mastin & Co., at Kansas City, and National Bank of the State of Missouri, located at St. Louis, which banks afterwards closed their doors. At the time of the deposit they were considered solvent and worthy of confidence, especially so of the old State Bank. It had been for one-half a century one of the landmarks of the State, whose management and stability had never been questioned. More than one million dollars of State funds were deposited in these banks at the time of their failure, of which all but \$183,522.65 has since been



paid from the assets, dividends and collaterals of those banks; and within the last few days, that last mentioned sum, with the accrued interest thereon, amounting in the aggregate to \$184,970.31, has been satisfactorily arranged by Calvin F. Burnes, as shown by a contract between Calvin F. Burnes and the Bank of Commerce, of St. Louis, dated January 6, 1881, and now in the hands of the committee appointed by Governor Phelps to settle with the State Treasurer. Calvin F. Burnes, having arranged the deficit, appeals to the Legislature to allow the use of the name of the State in enforcing a first lien on the assets of the Mastin Bank, seeking a subrogation to whatever rights the State has against the assets of said bank. It will remain for the courts to determine what those rights are. The enactment of such a law can, in no event, injure the State. This being true, simple justice demands its passage, provided it is done without subjecting the State to any costs or liability whatever. The arrangement for the payment of this large sum of money settles a vexed question which has disturbed the people of Missouri for more than two years. The actors in such an arrangement deserve the approbation of the people of the State. I know of no similar instance on the record of any political party. It stands as another evidence of the honesty of the dominant party in Missouri, and a complete refutation of the charges made against Col. Gates and the party, by a partisan press and partisan orators during the late canvass. This old and diligent public servant now retires from his official duties, without a stain upon his solid and rugged character; like a true man, conscious of his own rectitude. "The pattern of all patience," he has borne, without a murmur, the pitiless abuse and malignity heaped upon him, calmly awaiting the day for justice to come to his relief and vindicate his unswerving honesty. It has come at last, and as he departs from the office he has honored for four years, pointing the unerring finger at the man, it says he has been a faithful servant.



The Democratic party having placed the State and its finances upon a healthy basis, by an economical administration of affairs, is entitled to the continued confidence of the people, and will be retained in power till a later day if it pursues the same wise policies; but while remembering with pride its past history, and the good it has accomplished, it should remedy its evils, purge its faults, dethrone its bosses, enlarge its horoscope, and advance with determination to the possession of those great living principles upon which a free and an independent people live, move, and have their being.

The party is as full of life and vigor to-day as if fresh from successful political fields. The great secret of this "unconquerable vitality is its supreme love of liberty, and its supreme regard for, and confidence in, the people."

The Democracy stands for the foundation principles of the Constitution; for local self-government, as opposed to centralization; for the restriction and diminution of the powers and the interference of government, and for the elevation and the untrammelled independence of the individual citizens; for equal rights, as opposed to privilege and monopoly; for the Republic as opposed to the Empire.

And as long as those great fundamental ideas remain the shibboleths of the party, it will remain invincible and undismayed, and as it has in the past seen powerful rivals perish, so it will in the future. "Beaten it has been, beaten it may be, but hopelessly broken it never can be, as long as it is true to the vital idea of government of the people, by the people, and for the people."

It is national in its vote, and national in its views. In love of country it is limited to no section, loyal alone to no geographical lines, but it is for the happiness and prosperity of the whole country. We have passed through another Presidential election, successfully as a people and as a country, and James A. Garfield will soon be declared the lawfully elected President of the United States. It is alike gratifying and commendable that it will be accomplished without the excitement and unnatural embarrassments



surrounding the elevation of Mr. Hayes to that chair. It can be safely said that our people never again desire to see a candidate of any party elevated to that eminent position by such methods and such suspicious means. Mr. Garfield becomes President not so much of a party, as of the whole country, and at a time when prosperity gladdens the hearts of all, when no animosities remain to disturb and fret the people when the moment of defeat and victory is equally enjoyed by all. It is the universal hope of the country that he will be "so clear in his great office," that when he comes to lay down the robes of state, it will be said of him he did his duty well. His victory was no ordinary one, nor over an ordinary opponent, and upon a margin so slight that the movement of even one leading man in the City of New York could have changed the result. The defeat of Gen. Hancock as the representative of the Democratic party in no manner lessens the admiration in which that illustrious citizen and soldier is held by the whole country. Wherever bravery, modesty and ability are held in esteem, the name of Hancock will be loved as the unobtrusive and unflinching friend of civil and religious freedom. The names of Garfield and Hancock will stand associated in the minds of our people, and in a few more years the historian will bring both before the bar of severe public opinion, one as a successful politician, the other as a successful soldier, and which will stand the fire of that crucible is not for us to say to-day. It is my belief that Hancock will pass down to other generations unscathed by the criticisms of "inexorable history," the idol of a free people, whose regard for the supremacy of civil law, although a soldier to fame and glory born, made him its champion in its hour of extremest need, when others, smaller men, the creatures of power, discarded it as an accursed bauble.

As a lover of my race, I desire each to do his duty in his line, and make his country greater by having lived and acted. We are living in one country, under one flag, and one national Constitution, and we should be in spirit and in deed but one people. That Constitution has been to us



like the shadow of a great rock in a weary land, has protected us in the midst of violent excitements, and the most bitter party conflicts, and had this power, because it was not the work of a party, was not the outgrowth of faction, not the result of temper, but of compromise, moderation and patriotism. Our fathers laid deep and well the foundations, not only of the General Government, but also of the State Government, whether for few or many, framing a Constitution with almost superhuman wisdom, small enough for the parliament of man and broad enough for the federation of the world, having ever in view the separation of the two classes of governments upon certain local and special interests, and a concentration of the two into one, upon other great principles. Each form is indispensable to the other on the formation of one matchless system of government, and each should be guarded with a patriotic zeal. In our ardent admiration of State Government, growing somewhat out of our proximity to it, ever ready to defend its "rights," with an exemplary vigor, we should not look with distrust upon the General Government, even if at times, in our opinion, errors and abuses creep into its management; so there may into the administration of all governments, but stand firmly by it as the ark of our political salvation, relying upon public opinion for the correction of those abuses. In the language of a great statesman, long since dead: "We, as a people have derived innumerable blessings from the blessings from the General Government, and whatever of evil has occurred in its administration bears no proportion to its blessings." Let us teach our children that it is in the operation of the American system of government that the States feel and know that they are important parts of a great whole, and it is in and by that Union of all the States, in that "great whole," that we are known among the nations of the earth. From it, as from a rich fountain, public prosperity has streamed over our whole land, and from the bosom of our great National Republic, a spirit has gone forth throughout the world to quicken and raise up the oppressed, teaching them a new lesson of freedom, and



pointing out to them the way of self-government. The heart of man must swell with conscious pride at being the free citizen of such a Republic. No Roman should ever have exclaimed "I am a Roman citizen!" with more pride than a Missourian should say, "I am an American citizen!"

Under the fostering care of the State Government to provide for the domestic affairs, and the General Government to guard, with its immense power, our national and foreign rights and interests, we can rest in ample security, and earnestly look forward to a future that is full of everything that can gratify the hearts and hopes of a free and civilized people. Under such a system of governments our whole land is prosperous beyond the anticipations of man. Poverty and epidemics are nowhere known or felt, the voice of the husbandman and the song of the maiden are heard in sweet accord with the music of ceaseless machinery, from the Aroostook region of Maine to the mouth of the Rio Grande, from the Pacific slope to the shores of the Atlantic. War is nowhere known or heard in our land. The angry passions of partisanship, aroused by a heated political canvass, have passed and are forgotten—"as a school boy's tale, the wonder of an hour."

Now, "standing, as we do, on the threshold of a new year, looking backward to the years that are gone and forward to those beyond, we have, as a nation, abundant cause for thankfulness and hope." In the midst of all these blessings it becomes us to acknowledge our grateful dependence upon that Supreme Being without whose favor all schemes of human happiness are vain, and without whose benediction the wisdom and exertion of man can accomplish nothing truly great and good.

[THOMAS T. CRITTENDEN.]



## FIRST BIENNIAL MESSAGE

JANUARY 5, 1883

*From the Journal of the House of Representatives, 1883, pp. 16-71**Senators and Representatives:*

Section 10 of article V of the Constitution of Missouri requires me, as Governor of the State, to give the General Assembly "information, by message, of the condition of the State," and to recommend to you such measures as I may deem expedient.

In obedience to this requirement, I give you herein such information and suggest such measures as to me seem necessary and expedient.

I congratulate you upon your assembly, as the chosen representatives of the people, under such auspicious surroundings and favorable circumstances.

Order prevails in every part of the State; local affairs are managed with wisdom and economy; the labors of the husbandman have been repaid with most abundant harvests; the people are blessed with good health, peace, liberty and contentment; signs of individual and general prosperity greet the eye upon every hand. In acknowledgment of these manifold blessings, it becomes us, as a Christian people, to return our sincere thanks to the source of all good, and to implore Him to avert from our land and homes the "pestilence that walketh in darkness and the destruction that wasteth at noonday."

As no necessity exists for a great amount of general legislation, there is a corresponding lack of a necessity for a protracted session. I trust that your association may be pleasant to you and of lasting benefit to the State and people.



## THE STATE TREASURY.

I announce to the people of the State with gratification that their finances have never been in a more satisfactory condition. The obligations of the State are promptly met, and every legal demand made upon the Treasurer is paid as soon as presented. During the present administration not a warrant of the State has been discounted because of non-payment. In fact, there is not a single warrant now outstanding. Heretofore warrants have been issued and sent to the various civil officers and other claimants throughout the State, and before the warrants were, or could be, cashed, they were discounted by some person or bank in the locality to which they were sent. Now the warrants are sent by the Auditor to the Treasurer, who issues a draft therefor upon the Bank of Commerce of St. Louis, upon which the money is received without delay or discount. The warrants drawn, payable to the creditor or bearer, were liable to be lost and cashed by some one other than the real owner. Such is not the case now. I think the change a prudent one.

In compliance with section 7637, Revised Statutes, the Treasurer, on the 22d day of January, 1881, had a circular letter printed and sent to all of the principal banks and banking institutions of the State, and printed in many of the newspapers of the State, soliciting bids for keeping the public funds for the term specified in such bids and until a new contract shall be made. On the 8th day of February, 1881, the bids were opened, as directed by law, in the presence of the Governor and Attorney-General; and it being seen that the Bank of Commerce, of St. Louis, proposed paying, monthly, the highest interest of bonus on the average daily balances, that bank was selected as the State depository, and gave the security required by section 7639 of the Revised Statutes. The bank has faithfully fulfilled its part of the contract from that date to the present time, and has furnished the State every desired facility in the transaction of its financial business. By the close of



this year the bank will have paid the State something over \$34,000 as interest upon the deposits, which has been credited one-half to the interest and one-half to the revenue fund. On the 4th day of December, 1882, the Treasurer, under section 7637 of the Revised Statutes, mailed a second circular letter to each of the banks or banking institutions of the State, soliciting bids for keeping the public funds, which bids would be received until the 15th day of December, 1882. As no bids were offered on that day from any source, the contract theretofore entered into with the Bank of Commerce of St. Louis, was continued at the same rate and upon the same terms. This bank has paid from the beginning of the contract double the interest heretofore received by the State. It is one of the most solvent and responsible banks in the State. Since the present law went into effect the money of the State is so absolutely secured in the depository by the United States and Missouri State bonds, pledged as security, in excess of the deposits, that if the depository should meet with reverses, the State's money could be obtained within fifteen days. The National Bank of Commerce of New York is the trustee in charge of the hypothecated bonds. In the event that the Bank of Commerce of St. Louis should fail to pay the check or checks of the Treasurer, under the written contract between the bank and the Treasurer, he is authorized—with the approval of the Governor and Attorney-General—to direct the trustee to sell, within ten days after the refusal to honor the check or checks, the bonds so deposited, or as many as may be necessary to pay the whole amount of the State's deposit in the bank. The importance of this contract to the State can be seen at a glance. It not only fully secures the deposits of the State but it also gives immediate recourse upon the bonds upon a certain contingency, which insures the continuance of the State's credit. The Treasurer keeps a small sum of money in the vault in his office, in the Capitol, for daily use, an account of which will be given in his report. The following tables show the amount of deposits, monthly,



in the Bank of Commerce, how secured, and the interest received by the State on the same:

## MONTHLY BALANCES.

Date.	Amount in Bank of Commerce.	Bonds held as security.
1881—		
January 10.....	\$332,485 96	\$350,000
February 1.....	954,997 69	1,000,000
March 1.....	1,404,222 66	1,300,000
April 1.....	1,331,335 04	1,300,000
May 1.....	901,954 48	1,000,000
June 1.....	801,406 07	1,000,000
July.....	3,297,839 35	3,400,000
August.....	3,252,360 15	3,400,000
September 1.....	3,330,345 67	3,400,000
October 1.....	3,354,715 21	3,400,000
November 1.....	3,399,181 11	3,500,000
December 1.....	3,199,412 80	3,326,000
1882—		
January 1.....	3,364,907 81	3,450,200
February 1.....	4,069,762 31	4,062,400
March 1.....	3,978,767 79	4,015,000
April 1.....	3,803,693 60	3,833,400
May 1.....	3,699,992 37	3,725,850
June 1.....	3,597,507 61	3,616,000
July 1.....	3,238,421 43	3,230,000
August 1.....	3,180,572 65	3,230,000
September 1.....	503,083 96	575,000
October 1.....	564,429 31	600,000
November 1.....	576,825 96	600,000
December 1.....	494,264 38	720,000
1883—		
January 1.....	849,352 26	870,000



## INTEREST ON DEPOSITS.

Amounts received monthly from the Bank of Commerce as interest on deposits:

1881—		
January.....	\$200 61	
February.....	579 83	
March.....	893 78	
April.....	692 07	
May.....	539 00	
June.....	914 28	
July.....	2,028 58	
August.....	2,056 05	
September.....	2,000 87	
October.....	2,098 64	
November.....	2,028 56	
December.....	2,044 47	
Total receipts for 1881.....		\$16,076 74
1882—		
January.....	\$2,347 95	
February.....	2,237 88	
March.....	2,438 33	
April.....	2,265 52	
May.....	2,271 25	
June.....	2,083 16	
July.....	1,986 49	
August.....	1,507 50	
September.....	326 25	
October.....	365 92	
November.....	375 29	
December.....	378 85	
Total receipts for 1882.....		\$18,584 39
Total for the two years.....		\$34,661 13

## STATE CLAIMS.

By authority of an act of the Legislature, approved March 19, 1881, authorizing the Fund Commissioners, if they deem it expedient, to employ an agent to prosecute



the claims of this State against the Government of the United States, a contract was made with Hon. John T. Heard to prosecute such claims in behalf of the State, and he immediately entered upon the discharge of his duties. He has already collected and accounted to the State for the sum of two hundred and thirty-four thousand, five hundred and ninety-four dollars and ten cents (\$234,594.10), and is now in Washington, laboring to procure such legislation as will secure to the State the claims remaining unsettled.

The claims of the State consist of two kinds:

1st. War claims, or claims arising out of the furnishing of troops and supplies to the United States Government during the late civil war; and,

2nd. Claims arising under the enabling act of Congress and the ordinance of acceptance by the State, under which the State was admitted into the Union. This compact guaranteed to the State, in consideration of certain conditions by it accepted, five per cent. of net proceeds arising from the sale of all public lands in the State of Missouri after admission, etc. The amount due the State on account of all sales made for cash has been paid; but as a large proportion of the public domain in the State has been located with the military land warrants of the Government, issued in payment of services rendered by her soldiers in wars, Mr. Heard claims that such locations should be regarded as sales for cash, and that the State is entitled to five per cent. thereon. These locations cover about eight millions of acres and the per cent. of the proceeds of such sales—estimating the land at the price of \$1.25 per acre—amounts to \$426,000.

The war claims are of two classes: 1st. Those belonging to the State, and, 2d, those belonging to individuals, which the State is attempting to collect.

By an act of Congress of July, 1861, the United States Government promised to reimburse the different States for amounts expended by them respectively, in the organization, equipment and maintenance of troops while acting under competent military authority and in concert with the



Federal troops, in suppressing the rebellion, etc. Under that law, a settlement between the State and General Government was effected in 1866, by which the State received the amount then shown to have been expended by it up to that date; and it was on account of similar disbursements, subsequently made by the State, that a claim was preferred for the amount not reimbursed by the Government. Mr. Heard found a great deal of the evidence relied upon by the State to establish the claims lost or destroyed, and thus an infinite amount of trouble and a large outlay of labor and money were entailed upon him in his attempt to supply, as far as possible, the lost evidence and papers.

The other class of claims, or those belonging to individuals, are those which were, by authority of an act of the Legislature, approved March 19, 1874, audited by a commission created by said act, and on account of which audit and allowance conditional certificates of State indebtedness were issued. These claims have been presented to the Government for payment but, so far, have been refused consideration upon the ground that, even if they are just, the present laws of Congress only authorize their examination for settlement after they shall have been *paid* by the State, and that the issuance of conditional certificates of State indebtedness is not payment, as contemplated by the law.

Mr. Heard has, through our Senators and Representatives in Congress, procured the introduction of bills looking to the recognition of this class of claims, as well as the settlement of the five per cent. claims, which bills are now pending in the respective houses of Congress, and Mr. Heard is now in Washington City, giving the matter his earnest personal attention.

The contract made with Mr. Heard provided for a commission of five per cent. on the amount collected on the war claims due the State and fifteen per cent. on the other classes of claims, which are much more uncertain of collection. The commission agreed upon in the contract was paid on the collection made. The Fund Commissioners have been



criticised upon the amount of compensation allowed Mr. Heard in the contract; but it will appear to any man possessing a fair conception of the nature and responsibilities of the position that the allowance is not too liberal. The contract requires the agent to prosecute all of the claims at his own expense, and, aside from the immense amount of labor performed by Mr. Heard in the prosecution of his duties, and of the necessarily heavy living and traveling expenses incurred by him, he has paid out more than two thousand dollars in supplying lost papers and perfecting the evidence necessary to establish the claims already collected. Beside this, he is bound under a \$20,000 bond to prosecute to final determination the remaining claims embraced in his contract, the collection of which depends upon the procurement of Congressional legislation, and the ultimate collection of which is problematic, while the expenditure of a large amount of money and labor in the attempt is certain.

In the collection of the money already received by the State, Mr. Heard performed an immense amount of labor. Upon an examination of the papers and records which constituted the evidence upon which he must rely to establish the State's claim, the prospect was disheartening; but, with his characteristic determination and with tireless energy, he pursued every possible avenue of information to the end, and, as a proper reward for his diligence and intelligent efforts, the State received the sum above named. In him the State has a worthy representative and her interests will not suffer.

#### HANNIBAL AND ST. JOSEPH RAILROAD CONTROVERSY.

This administration was inaugurated upon the 10th day of January, 1881, and soon thereafter the Fund Commissioners—consisting of the Governor, Auditor and Attorney-General—were notified by Wm. Dowd, President of the Hannibal and St. Joseph Railroad, that, under the act of 1865, the company proposed paying into the State Treasury the sum of \$3,000,000 and the accrued interest



to the date of the payment, in discharge of the State's statutory lien on the road and equipments. George W. Easley, Esq., represented the road. Several interviews were had between Mr. Easley and the Fund Commissioners, prior to the payment of the money; but as the details of the preliminary or intermediate controversy are of no special value to the General Assembly, I pass them by, and present the material facts. In June, 1881, the Hannibal and St. Joseph Railroad Company tendered to the Fund Commissioners the sum of \$3,090,000, in payment of what the company claimed to owe the State, for bonds issued by the State, under the acts of 1851 and 1855. The Fund Commissioners refused to receive that sum as a payment in full, but expressed a willingness to receive and receipt for same, in part payment of the amount due under the act of 1865. This course was finally adopted, and, on the 20th day of June, the company paid to the State Treasurer \$3,090,000, of which \$90,000 were to be used to pay the interest maturing in ten days thereafter; and the remaining \$3,000,000 to pass into the State Treasury, to the credit of the company. On the payment of the money, the Treasurer executed his receipt to R. G. Ralston, Heman Dowd and Oren Root, trustees, in form as agreed upon between the parties. In order to oblige the company and avoid the cost and danger of transmitting so large a sum of money from New York to Jefferson City and return, the Treasurer went to New York and received the money and deposited it in the National Bank of Commerce in accordance with an arrangement made with the Bank of Commerce of St. Louis. Subsequent to the payment of the money, Mr. Easley, who represented himself as the attorney of the Hannibal and St. Joseph Railroad Company, and of certain persons as trustees in the mortgage—executed by the Hannibal and St. Joseph Railroad Company to the Farmers' Loan and Trust Company, to the amount of \$3,000,000—appeared at my office and demanded, under the act of 1865, that I, as Governor, execute a release of the statutory lien of the State, created by the acts of 1851 and 1855. This I re-



fused to do, as the company had not, in my opinion, paid the full amount of its liability to the State. The Company claiming that the amount paid covered the whole amount due to the State, instituted a proceeding against the Governor, in the Supreme Court of the State, to compel him to assign to the company's trustees the lien of the State, as provided in the act of 1865. This application having been denied by the court, the company, thereupon, filed in the court an application for a mandamus against the Treasurer of the State, to compel him to amend his receipt and put it in such form as to fully discharge the company from all further obligation to the State, by reason of the State's loan of credit to said company. This application was also denied; and the company refusing to pay the interest maturing January 1st, 1882, I proceeded to advertise the road and its appurtenances for sale, as provided by the act of 1851. Thereupon, the company filed its bill in equity, in the United States Circuit Court at Jefferson City, alleging that the payment made was a full discharge of the company, and again asking that the Governor be ordered and required, by a decree of the court, to assign the State's lien on the road and appurtenances to the trustees, and to enjoin the sale of the road. This court, after a thorough and exhaustive examination of the subject, held that the payment made was not a discharge of the obligations of the company, under the provisions of the several acts, under which the loan of credit was made, and consequently refused the injunction. The company with unflagging zeal to wrong the State, thereupon amended its bill, praying the same relief as originally asked, and, in case that should be denied, asking an alternative relief of a repayment of the \$3,000,000. On the final hearing of this bill, at Keokuk, Iowa, by Judge McCrary, an interlocutory decretal order was made, prescribing legal rules, by which the amount due by the company to the State may be ascertained, and referring the whole matter to a master in chancery—Hon. John K. Cravens, of Kansas City—with directions to take an account thereof and report the result



arrived at to the court, at an early day. In accordance with the agreement of counsel on both sides sanctioned, by the Master, testimony has been taken and arguments made before the Master by the respective attorneys; and I am informed that the report will probably be made at the adjourned term of the court, to be held in Jefferson City on the first Monday in March next. So far, the courts, State and Federal, have uniformly held that the company has not yet discharged its obligations to the State, and the Federal courts at each hearing have required the company to pay the matured interest on the bonds. In so doing, those courts have sustained the position held by the Fund Commissioners from the beginning of the controversy; they contending that the amount paid on the 20th day of June, 1881, was not "a sum of money equal in amount to all indebtedness due or owing by said company to the State, and all liabilities incurred by the State, by reason of having issued her bonds and loaned the same to said company, as a loan of credit of the State." What that amount is, now forms the question at issue between the State and the company, and must be determined by the Federal courts.

This controversy shows the wisdom of that constitutional provision inhibiting the State from "contracting any debt or liability on behalf of the State, or to issue bonds or other evidences of indebtedness thereof, except in renewal of existing bonds, and to create a debt not exceeding \$250,000 to meet an unforeseen emergency or casual deficiency," as the liberality of the State has been so often abused by the recipients of its grace. It is a matter of regret that this company, after having so long and so faithfully met its maturing interest on the bonds, should have sought an opportunity, under the act of 1865—cunningly drawn, as it was supposed, in the interest of the road—and the advice and direction of hired counsel, to violate the most sacred obligation that can exist between creditor and debtor. The State, from the beginning, discountenanced the construction placed upon that act by the company, and simply demanded a fulfillment of the obligation nominated in the



bond, and at no time has it acted otherwise than justly and leniently with the road, even when reverses and embarrassments surrounded it and almost wrecked its financial existence. No road has asked and received more kindness from the State than the Hannibal & St. Joseph. The more it has been accommodated, the more it has demanded. It received from the State, under the act of 1851, \$1,500,000 special bonds, as a loan of the public credit, redeemable at the pleasure of the Legislature at any time after the expiration of twenty years from the date of issue; and, again, under the act of 1855, it received the same number of bonds, of the same character, redeemable in thirty years, and in 1874, upon the urgent application of the road to the Legislature, the \$1,500,000 bonds, issued under the act of 1851, were renewed for a further term of twenty years. Thus, in fact, receiving from the State \$3,000,000 in special loan bonds, redeemable in thirty and forty years—a favor not solicited by nor extended to any other company. In consideration of this fact, and upon principles of honor, the road should be slow indeed in attempting to evade its honorable and legal obligations to the power which evoked it into existence. If the company persists in this attempt, it is the duty of the State to resist it to the extreme limit of the law. The protection of the rights of its citizens, and the preservation of its high credit, will permit no other course. The State only asks for an equitable adjustment of the difference, one that will not embarrass the road, yet will “save the State harmless” from future liabilities. In all the legal proceedings referred to, the State, in addition to the very able and faithful services of the Attorney-General, has had the services of Messrs. Glover & Shepley and Henderson & Shields, of St. Louis, two distinguished law firms, in whose hands, I confidently believe, the interests of the State will be secure. The labor involved in the defense of the cases has been great and exacting. Much testimony has been taken in New York and Missouri, and the expenses incident thereto have fully consumed the small appropriations made for that purpose. I respectfully sub-



mit to you the necessity for an appropriation sufficient to pay the necessary expenses of the litigation and provide a fair compensation for the counsel engaged. It is more possible that the case may finally reach the Supreme Court of the United States, which, of course, will materially increase the labor and expense of counsel. The distinguished counsel engaged fully understand that they have no other reliance for remuneration than your own sense of justice and liberality in the premises. They and I feel confident that the General Assembly will do full justice to agents who have been zealous in defense of the rights of the State.

#### OUTLAWRY.

Since the close of the war Missouri has been infested by bands of train and bank robbers, whose lawless deeds not only rendered railroad travel and banking dangerous in certain localities in the State, but also gave the State an unenviable reputation, at home and abroad.

My predecessors assiduously endeavored, by the use of every means and power within their control, to accomplish the destruction of these bands, but their efforts proved abortive. On the 15th day of July, 1881, certain parties, under the leadership of Jesse W. James, stopped and robbed a train upon the line of the Chicago, Rock Island and Pacific Railroad, at a point near Winston, in Daviess county; and, in the perpetration of the robbery, killed William Westfall, the conductor of the train, and John McCulloch, an employe of the company. On the 28th of July, 1881, I issued the following proclamation:

#### State of Missouri, Executive Department.

WHEREAS, It has been made known to me, as the Governor of the State of Missouri, that certain parties, whose names are to me unknown, have confederated and banded themselves together for the purpose of committing robberies and other depredations within this State; and

WHEREAS, Said parties did, on or about the eighth day of October, 1879, stop a train near Glendale, in the county of Jackson, in said State, and with force and violence take, steal and carry away the money and other express matter being carried thereon; and



WHEREAS, On the 15th day of July, 1881, said parties and their confederates did stop a train upon the line of the Chicago, Rock Island and Pacific Railroad, near Winston, in the county of Daviess, in said State, and, with force and violence, take, steal and carry away the money and other express matter being carried thereon, and in perpetration of the robbery last aforesaid the parties engaged therein did kill and murder one William Westfall, the conductor of the train, together with one John McCulloch, who was at the time in the employ of said company, then on said train; and

WHEREAS, Frank James and Jesse W. James stand indicted in the circuit court of said Daviess county for the murder of John W. Sheets, and the parties engaged in the robberies and murders aforesaid have fled from justice and have absconded and secreted themselves;

Now, therefore, in consideration of the premises, and in lieu of all other rewards heretofore offered for the arrest or conviction of the parties aforesaid, or either of them, by any person or corporation, I, Thomas T. Crittenden, Governor of the State of Missouri, do hereby offer a reward of Five Thousand Dollars (\$5,000.00) for the arrest and conviction of each person participating in either of the robberies or murders aforesaid, excepting the said Frank James and Jesse W. James; and for the arrest and delivery of said Frank James and Jesse W. James, and each or either of them, to the sheriff of said Daviess county, I hereby offer a reward of Five Thousand Dollars (\$5,000.00), and for the conviction of either of the parties last aforesaid of participation in either of the murders or robberies above mentioned, I hereby offer a further reward of Five Thousand Dollars (\$5,000.00).

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done (L. S.) at the City of Jefferson, on this 28th day of July, A. D. 1881.

THOS. T. CRITTENDEN.

By the Governor:

MICHAEL K. McGRATH, Secretary of State.

On the 7th day of September, 1881, within six weeks after this proclamation had been issued, as if in grim defiance of the power of the law and the vigilance of the law officers, a train was stopped and robbed on the line of the Chicago and Alton Railroad, near Blue Cut, in Jackson county. The band committing this robbery was under the leadership of Jesse W. James; and his associates, it is said, were Frank James, Dick Liddil, Wood Hite, Clarence Hite and Charles and Robert Ford.

When the proclamation was issued it was said by cavillers that it would wholly fail in its objects and that no good would be accomplished by the offer of such large



sums of money for the apprehension of those desperate men. The results which followed so closely upon its issuance furnish an ample vindication of the policy which inspired it. No tie, no faith in honorable comradeship, is stronger with an outlaw than the power of money.

On the 13th day of February, 1882, Bob Ford surrendered to Capt. H. H. Craig, of Kansas City. On the 24th day of January, 1882, Dick Liddil surrendered to J. R. Timberlake, sheriff of Clay county.

On the 13th day of February, 1882, Clarence Hite was captured in Logan county, Kentucky, by Capt. Craig and J. R. Timberlake, and was taken to Daviess county, Missouri, where two indictments—one for the murder of William Westfall and one for participation in the Winston train robbery—were pending against him. He was arraigned under the indictment and pleaded guilty to the charge of robbery, and was, on the same day, sentenced to twenty-five years' imprisonment in the penitentiary, which sentence he is now undergoing.

On the 3d day of April, 1882, Jesse W. James was killed in the city of St. Joseph by Charles and Robert Ford—his followers and associates in crime. The Fords immediately surrendered themselves to the legal authorities of Buchanan county, and were placed in jail.

An indictment charging them with murder in the first degree, was preferred against them by the grand jury, to which, at the April term, 1882, they both pleaded guilty in the Buchanan county circuit court, and were pardoned by me on the same day, upon the grounds of public policy.

Frank James voluntarily surrendered himself to me, in my office, in Jefferson City, on the 5th day of October, 1882. I immediately delivered him to the law officers of Jackson county, where he is now incarcerated in jail, awaiting trial on one or more indictments.

On the 4th day of December, 1881, Wood Hite was killed by some one of his confederates in crime, at the residence of Mrs. Bolton, near Richmond, Ray county, Missouri. Her house had been the headquarters and hiding



place of the outlaws in that part of the State for many months.

On the 13th day of May, 1882, Robert Ford was indicted in Ray county for the murder of Wood Hite. The case was removed by change of venue, to Clinton county where, on the 26th day of October, 1882, he was tried and acquitted. He is now under recognizance on a charge of robbery, as also is his brother, Charles Ford.

On the 7th day of October, 1882, I revoked the proclamation of July 28th, 1881, for the reason that the principal actors in and perpetrators of, the crimes, are either dead or in the custody of the law of the State.

Thus was completed the overthrow and destruction of the most noted and daring band of outlaws known to ancient or modern history. This grand result, fraught with so much interest and importance to the people of Missouri, was accomplished by the activity and relentless energy of the officers and citizens of this State, and particularly of those in the localities in which the outlaws had so long found sympathy and concealment. The policy adopted for the extirpation of these bands received the co-operation of the Criminal Court of Jackson county and its officers; and thus there was but little difficulty in securing a pronounced enforcement of the laws, and awakening in the minds of the people of that county a settled determination to remove the stain placed upon the county by the depredations of these bands, and to summarily end, at once and forever, the crimes and career of the organization. In this connection, I desire to publicly recognize the intelligent and efficient assistance of Capt. Henry H. Craig, of Kansas City, and Sheriff James R. Timberlake, of Clay county. The aid rendered by these gentlemen was invaluable to me, and without it the duty devolving upon me would have been much more difficult, if not altogether impossible, to accomplish. The task they assumed required fearless courage, extraordinary vigilance and an unerring selection of instrumentalities. They accomplished within fourteen months what others for twenty



years had wholly failed to do; and to these gentlemen, more than to all others, is due the credit of bringing these outlaws to justice. It also gives me pleasure to recognize the valuable services of John Cason, sheriff of Saline county, who was always ready to undergo any labor, danger or exposure in pursuit of the outlaws. In him Captains Craig and Timberlake had an intelligent and faithful co-adjutor. These brave officers discharged every duty fearlessly and well, to which I unhesitatingly bear official testimony.

I paid twenty thousand dollars in rewards to various persons for the capture and overthrow of this band of desperadoes, not one dollar of which was taken from the State Treasury. It is not probable that Missouri will again be cursed and disgraced by the presence of such a band of men, confederated together for desperate purposes. It is fully redeemed and acquit of that unwarranted appellation of "robber State." But an insignificant number of people in two or three counties gave countenance to such lawlessness. Our people, with one accord, heartily approve of the measures and means employed to compel these violators of the law to confess its power and majesty, and applaud the stern, unbending determination of the officers who contributed so much to the fulfillment of that purpose.

It is done; and Missouri is to-day one of the most peaceful States in the Union. Fewer crimes are committed within her borders than in those of surrounding States.

Since my inauguration, three other lawless bands were formed and operated in different portions of the State. The "Meyers Gang," composed of six men, was organized in New Madrid county for the purposes of robbery and murder. Within a few weeks after its formation two of its members were shot to death while resisting arrest, two were captured, tried under the law and executed, and the other two were sent to the penitentiary for their crimes.

A band known as the "Mason Gang" was organized in Adair county, for the purpose of robbing banks and com-



mitting other crimes. It consisted of four men under the leadership of Frank Mason. In the month of June, 1882, they robbed a bank at Brookfield, Missouri. Within one week from the date of the robbery these men were captured, indicted, tried and sentenced to twenty-five years imprisonment, each, in the penitentiary. The Lewis brothers formed a band in Jasper county for similar purposes. Within a few weeks after commencing their lawless career they were captured, and are now in jail awaiting trial.

The activity of the officers and citizens of the counties in which these bands were organized, in capturing and bringing the evil-doers to justice, demonstrates that the people of Missouri will no longer submit to the domination of outlaws. Such determination to suppress crime and apprehend criminals, sooner or later, brings its own reward, in peace, in increased wealth and in an intelligent and desirable immigration. In closing this history of the downfall of these lawless bands, I will state that on the 4th day of June, 1881, I issued a requisition upon the Governor of the State of Tennessee for one William Ryan, who was indicted for complicity in the Glendale train robbery, which occurred on the Chicago and Alton Railroad, in Jackson county, on the 8th day of October, 1879. Upon that requisition he was returned to Jackson county, where, on the 15th day of October, 1881, he was tried, convicted and sentenced to a term of twenty-five years imprisonment in the penitentiary. The expenses (\$105.35) incurred in Ryan's extradition were, by me, repaid into the State Treasury on the 20th day of December, 1881, out of the Five Thousand Dollars reward I had offered for the arrest and conviction of Ryan, thus placing in the treasury, from another source, money that had been expended by the State in the capture of one of the outlaws.

#### REVENUE.

Under the law, assessments upon all taxable property, except merchandise, shall be made between the first days of June and January, and the valuation is placed upon it



the first day of June. The taxes upon this assessment are collected the following fall, being something over a year after the assessment is made. Real estate gradually increased in valuation in 1880 and 1881 and more rapidly in 1882. The crops in Missouri in 1882 were the largest grown in many years, some computing that the wheat crop in Missouri this year will reach 50,000,000 bushels, and the corn crop 250,000,000 bushels, while the exportation of apples amounts to 10,000,000 bushels. Proportionally large crops of potatoes, hemp, oats, flax and various kinds of grasses were produced.

The assessed valuation of property for 1880 is the assessment upon which the taxes of 1881 are due and paid.

## 1881.

Real estate.....	\$406,104,426 00
Personal property.....	163,265,359 00
Railroad companies.....	30,309,878 85
Bridges.....	1,695,000 00
Telegraph companies.....	348,219 90
Total.....	<u>\$601,722,883 75</u>

## 1882.

Real estate.....	\$442,826,742 00
Personal property.....	170,813,976 00
Railroad companies.....	33,373,739 46
Bridges.....	1,910,000 00
Telegraph companies.....	342,785 40
Total.....	<u>\$649,267,242 86</u>

These tables show an increase in valuation in 1882 over 1881, of \$47,544,369.11 and a general appreciation in values in all kinds of property. If the rate of increase in values is as great this year as last, I think the valuation this year will exceed \$700,000,000. This will spring from two causes: First, the natural increase in the value of property; and, second, the introduction of other property into the State. The taxes are rapidly diminishing in consequence of increased valuations and the rapid growth and development of the resources of the State. Under the present Constitu-



tion, the State tax rate cannot exceed forty cents on the hundred dollars valuation, one-half of which is set apart for the payment of the interest on the State debt and the reduction of that debt, which reduction, under the Constitution cannot be less than \$250,000.00 per annum. Twenty-five per cent. of the remaining half of the taxes is sacredly set aside for the support of the public schools of the State. This leaves only fifteen cents on the hundred dollars for the support of the State government, the pay of the Legislature, costs in criminal cases and the maintenance of the various eleemosynary institutions of the State. No State manages its affairs more economically. This accounts for its prosperous condition. During the present administration the public debt of the State has been reduced as follows:

In 1881.....	\$252,000 00
In 1882.....	460,000 00
Total.....	\$712,000 00

This sum shows the amount of bonds taken up and retired since January 10th, 1881, with the surplus revenue, proper, of the State, and does not include the \$250,000 renewal revenue bonds—also paid in 1881—issued under act of May 9th, 1879, making a total reduction of \$962,000 of the liabilities of the State. If other bonds could have been called during this year, or purchased at a reasonable premium, there is now sufficient surplus revenue on hand to retire \$300,000 more of the State's indebtedness.

In the face of this exhibit, I am unable to see the wisdom or justice of that part of the decree recently made by Judge McCreary, at Keokuk, Iowa, in the Hannibal & St. Joseph Railroad case, requiring the State to use the whole or a part of the \$3,000,000—involuntarily received by the State—in the redemption or purchase of its bonds, or account for the interest on the money, when the facts show that the surplus revenues of the State are sufficient to retire its bonded indebtedness upon maturity, without touching any part of



the \$3,000,000—which forces the State to go into the markets and purchase its bonds at a large premium in order to use its surplus moneys. The State has no option bonds afloat. At no previous period has the State's indebtedness been so rapidly diminished, or the State grown so rapidly, in those elements which give a State character at home and abroad, as within the last two years.

The credit for this belongs to the people and their officials, here and throughout the State, who have performed their duties so honestly and efficiently. The effect is observed and appreciated abroad. I call your attention to the following extract from a letter received by me from a reputable banking firm in New York city:

"I take the liberty of enclosing quotations at the New York Stock Exchange of this day of the various securities dealt in there, and beg leave to call your attention to the quotations of Missouri State bonds. You will notice that the figures given for Missouri State bonds are 'bids' only, there being but very few of these bonds for sale; and when any are offered they bring very much better prices than those stated in the list. I was in negotiation with a savings bank here to-day and offered to take their bonds on a basis of  $3\frac{1}{4}$  per cent. investment, and yet our bid was rejected. This fact should be gratifying to those taking an interest in the financial affairs of the State of Missouri. By referring to the quotations you will perceive that the bonds of the State of Missouri not only compare favorably with all other State bonds but, in point of fact, will bring more than any State bond dealt in upon our stock exchange. I take pleasure in stating to you that your bonds will not only sell for more than the bonds issued by the States of Connecticut, Michigan, New York, Ohio and Rhode Island, but that they will bring fully as good prices as Massachusetts State bonds, which at one time ranked much higher than United States bonds.

"I believe the financial condition of your State at present is such that you will have no occasion to issue any bonds at present; but were such not the case, I do not hesitate in saying the bonds of the State bearing 4 per cent. interest could be readily placed at a good premium; and would your constitution permit the issue of bonds 'free of all taxation,' a bond bearing 3 per cent. interest could be placed at about par. The above good results were brought about by the prompt payment of all obligations of the State; by the good management on the part of the officers of the State having the financial affairs in charge; therefore, to them the citizens are indebted for the great benefits they are now reaping and will continue to reap in refunding the debt as occasion may offer.

"I claim whenever a State is in good financial standing foreign capital finds its way into that State; and capital, combined with labor, is the success of a State.



"Missouri has the good fortune to have as officers men who are honest and honorable; men who have demonstrated that all obligations of the State must be promptly met; that its credit must be sacred and preserved under all circumstances, and that is the cause why capital flows into your State, and finds its way very slowly into States that do not take care of their credit."

This letter gives the present financial status of the State. It is alike gratifying to the officers and people of the State. That status is based upon the unswerving honesty of the State in its business transactions, and upon that other supremely important business principal of "paying as you go;" that course always pays in the end—in fact, before the end is reached.

#### BALANCE SHEET.

Showing payment by the Hannibal and St. Joseph Railroad Company, and the investment of the same by the Fund Commissioners:

		Dr.	Cr.
June 20, 1881.	To Treasurer's receipt..	\$3,000,000 00	
July 6, 1881..	By purchase of H. & St. J. bond No. 1244.....		\$1,000.00
August 23, 1882.....	By 1171 U. S. Reg. 4 per cent. and prem- ium.....		1,399,345.00
August 23, 1882.....	By purchase of 20 Mo. State bonds proper, and interest.....		20,200.00
September —, 1882.....	By purchase of 122 Mo. bonds of sundry se- ries, including prem- ium and accrued in- terest.....		138,399.60
September 1, 1882.....	By 156 State bonds, proper and interest, called by Fund Com- missioners.....		157,560.00



		Dr.	Cr.
September 1, 1882.....	By 1270 Renewal Fund- ing bonds and inter- est, called by Fund Commissioners.....		\$1,282,700.00
September 1, 1882.....	By cash invested in other State bonds....		795.40
Total.....		\$3,000,000.00	\$3,000,000.00

On the first day of January, 1881, the total debt amounted to \$16,259,000. During the years 1881 and 1882 the Fund Commissioners have redeemed and purchased bonds as follows:

In 1881.	
Renewal Funding bonds called December 1, 1881.....	\$152,000 00
Renewal Funding bonds called December 31, 1881.....	98,000 00
State bonds proper purchased.....	2,000 00
In 1882.	
Renewal Funding bonds called March 1, 1882.....	250,000 00
Renewal Funding bonds called September 1, 1882.....	1,270,000 00
State bonds proper, called September 1, 1882.....	156,000 00
Missouri Pacific Railroad bonds purchased.....	87,000 00
North Missouri Railroad bonds purchased.....	41,000 00
St. Louis & Iron Mountain Railroad bonds purchased..	29,000 00
Consolidation bonds purchased.....	41,000 00
State bonds proper purchased.....	104,000 00
Cairo and Fulton Railroad bonds purchased.....	4,000 00
State University bonds purchased.....	1,000 00
Penitentiary bonds purchased.....	1,000 00
Northwestern Lunatic Asylum bonds purchased.....	16,000 00
State Bank Stock Refunding bonds purchased.....	15,000 00
State Funding bonds purchased.....	12,000 00
Platte County bonds purchased.....	1,000 00
Total.....	\$2,280,000 00



Deducting the bonds redeemed and purchased in 1881 and 1882, or \$2,280,000 from the outstanding debt January 1st, 1881, and we have remaining \$13,979,000 which represents the entire interest bearing debt on the first day of January, 1883—not including bonds issued to the Hannibal and St. Joseph Railroad Company. This debt may be classified as follows:

## STATE DEBT JANUARY 1, 1883.

Missouri Pacific Railroad bonds.....	\$2,859,000 00
North Missouri Railroad bonds.....	1,647,000 00
St. Louis and Iron Mountain Railroad bonds.....	1,331,000 00
Cairo and Fulton Railroad bonds.....	261,000 00
Platte County Railroad bonds.....	503,000 00
Consolidation bonds.....	2,670,000 00
State bonds proper.....	176,000 00
State Funding bonds.....	988,000 00
State Bank Stock Refunding bonds.....	89,000 00
Penitentiary Indemnity bonds.....	40,000 00
State University bonds.....	200,000 00
Northwestern Lunatic Asylum bonds.....	184,000 00
Missouri six per cent. consolidated certificate of indebtedness (School Fund).....	2,909,000 00
Missouri six per cent. consolidated certificate of indebtedness (Seminary Fund).....	122,000 00
Total.....	\$13,979,000 00

Deducting the certificates of indebtedness held in trust for the school and seminary funds, the aggregate bonded indebtedness January 1st, 1883, is \$10,948,000, not including the Hannibal and St. Joseph Railroad bonds.

Of this debt \$176,000 State bonds proper mature in 1883, and none in 1884.

In addition to State bonds purchased, the Fund Commissioners also purchased in 1881 bond No. 1244 of the Hannibal and St. Joseph Railroad series, leaving the amount of Hannibal and St. Joseph bonds outstanding \$2,999,000.

I think the receipts of the revenue levied upon the valuation of 1881 and 1882 will be ample to meet the de-



mands of the State until the General Assembly shall again convene in 1885. This is gratifying to those interested in its financial condition. Since this administration was inaugurated the expenditures have been at the minimum. The necessary cost and expenses of the 31st General Assembly were . . . . . \$112,957 41  
Of the Called Session . . . . . 28,320 84

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Total . . . . . \$141,278 25

Considering the amount and excellent character of the work done, we can say that it was money well spent, which has and will redound to the prosperity of the State. In connection with this subject, I call your attention to the necessity for making the office of County Assessor more desirable to our best business men than it is now. It is, in my estimation, the most important in the list of county offices. Upon the action of the Assessor—who is often wholly incompetent—is ascertained the taxable wealth of a county; and by aggregating the counties, the wealth of the State, outside of the cities. If proper assessments were made, there would be a sufficient increase in the aggregate valuation to pay the public debt of the State within ten years. There is a serious wrong in the unequal and insufficient valuation now placed upon all kinds of property, and the sooner it is corrected the better it will be for the State and the people. There is an evil somewhere, either in the system or in the way the duties of the office are executed, which should be remedied at an early day. The wisdom of this body will suggest a remedy. Otherwise, the revenue law fully meets the necessity of its existence. The back-tax law, as construed by the Supreme Court, has been the means of enforcing the payment of a large amount of delinquent tax, and it should be sustained by the voice of the people. Missouri has outgrown the old system, as operated. Under it, taxes are closely and honestly collected, and those taxes, for State purposes, are gradually diminishing; and, to lessen the burdens of the people,



taxes for local purposes should also be diminished in the counties. Low taxes and the enforcement of the laws insures a happy and prosperous people. Before closing this subject, I assert that the peace of society is secured; the State's finances are in a satisfactory condition; the government is managed with the strictest economy; the courts are pure and active in their duties; schools and churches are found in every neighborhood, and there is a settled determination in the minds of the people to faithfully observe every obligation imposed upon them by law, custom or morality. Since I have been Governor, it has been my chief aim to protect its morals and its credit.

#### THE PENITENTIARY.

The table given herein shows the number of prisoners confined in the penitentiary during the years 1881 and 1882. It will be seen that there has been an increase of convictions during the year 1882, and that at the close of the year 1882 there were 113 more convicts in the prison than at the close of 1881. This does not evidence an increase of crime in the State; it merely indicates an increase of convictions during the year last past. Fewer crimes were committed during the year 1882 than for a corresponding length of time for many years. There is now a settled determination on the part of the officers to enforce the laws, punish wrong-doers and give protection to the honest and industrious.

#### PRISONERS RECEIVED IN 1881-1882.

1881.	1882.
State.....533	State for 12 months.....613
United States..... 4	United States 12 months.... 7
Returned..... 15	Returned..... 15
—552	—635
Males.....536	Males.....631
Females..... 16	Females..... 14
—552	—635
Daily average confined in prison..... 1205	Daily average confined in prison..... 1318



## PROCEEDS PRISON LABOR, 1881.

Receipts.	Disposition.
Labor for 1881..... \$95,696 65	Maintenance of peni- tentiary for 1881.. \$111,161 25
Proceeds of sale of broom factory... 16,727 24	
Total..... \$112,423 89	Total..... \$111,161 25

Excess earnings over maintenance, \$1,262 64

This sum of \$1,262.64 is exclusively the excess of the receipts over that of expenditures for the daily expenses of the prison for 1881, and is wholly independent of the loss sustained by the destructive fire which occurred there on the night of the 11th of May, 1881, an account of which loss is given below.

Although the loss sustained by the State in consequence of the fire in May, 1881, was large and notwithstanding the cost of living in the latter part of 1881, in consequence of the drought of 1881, was greater than in former years, yet the management of the prison was so frugal and judicious that the excess of the maintenance and repairs consequent by loss by fire over the receipts were only \$8,099.85, while those of the earnings alone over the cost of maintenance were \$6,448.44. These figures present an irrefutable answer to the idle charges of extravagance and carelessness made by inconsiderate men against the Warden.

## PROCEEDS PRISON LABOR, 1882.

Receipts.	
Labor 12 months, 1882.....	\$108,891 79
From Treasurer on account of earnings of 1879-80.....	3,658 22
Total.....	\$112,550 01



## Disposition.

Maintenance, 1882.....		\$102,080 27
Brickyard machinery.....	\$5,000 00	
Woolen mill machinery.....	4,100 00	
Permanent repairs.....	7,942 93	
Pay roll.....	1,332 14	
		18,375 07
Total.....		\$120,455 34

Excess 1882 earnings over maintenance, \$6,811.52.

Excess of maintenance and repairs over total receipts,  
\$7,905.63.

The following tables give an exact statement of the actual loss sustained by the State in consequence of the fire of May, 1881, computed from actual purchases made to replace and from inventory December 31, 1880:

Machine shop inventory, less \$2,500.00 for boilers and engine.....		\$8,242 92
Woolen factory machinery complete.....		4,113 11
Wool, warp, yarn, cloth and fixtures destroyed.....		484 70
Difference in cloth between cost of making and purchasing.....		847 54
Loss in labor.....		2,543 05
Grist mill complete for corn meal.....		232 48
Loss of bedding, cell furniture, &c.....		2,500 00
Hose.....		542 00
Total.....		\$19,505 80
Cost of repairs to new cell building.....	\$3,308 75	
Estimated value of shop buildings destroyed.....	12,000 00	
		15,038 75
Total.....		\$34,544 55

The Penitentiary has never been more economically managed than at the present time. There are fewer idle prisoners at this season of the year than at any previous



corresponding time. Up to the 1st of December there was not an idle man in the prison. Since the men have been withdrawn from the brickyards and quarries there are from one to two hundred prisoners unemployed, with no immediate prospect of their employment before spring. These men remain idle in their cells, which necessarily entails a heavy expense on the state. This is unavoidable, as there is not sufficient room inside of the walls of the prison. The walls should be extended or a branch penitentiary be erected in some part of the state.

The health of the prisoners is excellent. The death rate is remarkably small and cases of serious illness are rare. No epidemic of any disease has prevailed for years. The following statement evidences the truth of the above statements:

During the year 1881, 225 prisoners were admitted to the hospital and in 1882 to December 1st, 212. Total 437.

The average daily sick, both patient and outside, male and female, from January 1st, 1881, to December 1st, 1882, equals 19 or 1.5 per 100.

Deaths in 1881 were males, 21; females, 1. Total 22.

Deaths in 1882 to December 1st, males, 17; females 1. Total 18.

Deaths total January 1st, 1881, to December 1st, 1882, 40 or 16 to the 1,000.

There are at present seventy-five persons in prison sentenced to a term of life servitude or to one over twenty years. As the history of the penitentiary shows that no prisoner has lived to complete a term of fourteen years, would it not be wise to so amend the law as to have no sentence extend beyond twenty years, and giving the convict the advantage of the three-fourths rule, as it now exists, as an incentive to good behavior? This rule, if restored, should apply to those prisoners heretofore sent for over twenty years. Such a change in the law, as above indicated, would remove those sentences which cannot be fulfilled except by death, and would give some hope of



relief to those men who are now entirely without hope and without an incentive to good behavior. A man's hope and life should not be obliterated and destroyed by prison life. Punish him, but do not degrade him forever by a declaration of law that a man who enters a prison should leave all hope behind, should be forever viewed as an enemy of his race, without being given an opportunity to retrace his fallen steps or to become a free man again. The presumption is that all men sent to the penitentiary are bad men. This is not true; many of them are bad—very bad men—but there are some within those darkened walls who have been trained in the way they should go, who have occupied honorable positions in life and filled the measure of good citizenship until at some impassioned and misguided moment, a crime has been committed, the law violated and they are sentenced to a long term in prison. Should not such men have a chance for reformation and restoration to the better walks of life? Governor Horatio Seymour of New York, in speaking upon this subject, has spoken as follows: "Prisoners are men like ourselves; and if we would learn the dangers which lurk in our pathway, we must learn how they stumbled and fell. I do not doubt but some men are more prone to vice than others; but, after listening to thousands of prayers for pardon, I can hardly recall a case where I do not feel that I might have fallen as my fellow man had done, if I had been subjected to the same demoralizing influences and pressed by the same temptations. I repeat here what I have said on other occasions, that after a long experience with men in all conditions of life, after having felt as much as most men the harsh injustice springing from the strife and passions of the world, I have constantly learned to think more kindly of the hearts of men, and to think less of their heads. We love to think that the inmates of cells are unlike ourselves. We would like to disown our common humanity with the downcast and depraved. We are apt to thank God we are not like other men; but with closer study and deeper thought, we find they are ourselves under different circumstances. And the circumstances that made them



what they are abound in our civilization and may at any time make others fall who do not dream of danger."

Any sentence beyond twenty years makes the penitentiary an inevitable graveyard to that man. This should be avoided. The Legislature should give the subject due consideration. In obedience to Section 8, Art. 5, of the Constitution, I communicate to your bodies each case of pardon with name of convict, sentence, etc. I have pardoned fifty-four men and women convicted of various felonies within the last two years, upon my own motion; upon the recommendation of the citizens, and often the judges and prosecuting attorneys of the counties from which they were sentenced, and upon the written request of the Surgeon and Board of Inspectors of the prison. I have pardoned fewer convicts from the penitentiary within the same length of time than any of my predecessors, except one, within the last decade. I recommend the erection of a chapel and library, and as soon as the chapel is completed, the employment of a permanent chaplain to daily look after the spiritual and moral condition of the prisoners. Experience demonstrates beyond question the moral influences of religious worship upon prisoners. It benefits them to recall the memory of such training in earlier years. With punishment we should blend as much of an opportunity for reformation and exhibit as much mercy as compatible with the public interests. I am not seeking to make this an ideal prison. Such do not exist anywhere. The history of all prison life teaches that where prisoners are well fed on substantial food, comfortably quartered and clothed and provided with good library facilities and chapel services, they become more contented and serviceable to the state, and demand less punishment of any kind. It is wise, it is humane, to pursue the course that will dispense with the necessity for harsh punishment. This prison is comparatively free from severe punishment. This prison is comparatively free from severe punishment, and especially is it free from that kind of punishment which destroys the mental and physical faculties of the prisoners. It is gradual-



ly assuming the position of being one of the model prisons of the States in the physical condition of the inmates, the system of its organization and the results of its labors, and it will advance still higher under the present judicious management.

There are several features of the law regulating penal servitude, which should be remedied and others incorporated.

1. The inequality of sentences under the same law and for the same grade of crime. Often the old, hardened criminal, with a life full of crime, receives a short sentence while a mere boy, charged with his first offense, receives much more severe sentence for the same crime. No law can convince the young criminal of the justice of a law which will permit such a disparity; and as long as he remains that opinion he is not susceptible to reformatory influence. This evil should be remedied, both by the law and the courts. It can be remedied by a graduation of sentences.

2. Boys under 20 years of age should not be sent to the penitentiary. If they are, the association of the young and inexperienced in crime with the old and incorrigible vicious should be prohibited by prison rules formulated under the law.

3. The reading of daily papers, whose columns are filled with detailed recitals of every manner of crime, should be excluded from the prisons, and only religious weeklies and periodicals should be allowed circulation among the convicts. It is an indisputable fact that, with a great majority of convicts, the columns telling of violence, fraud and crime are the first to be read.

4. As far as possible, prisoners of the same age and grade of crime should be grouped together at work and in their cells.

5. If a permanent chaplain is employed at the prison he should be required to teach a Sunday prison school under the direction of the Board of Inspectors and Wardens. In many prisons such schools are successfully and beneficially taught—spelling, reading, arithmetic, writing and



geography being the most useful branches taught in these schools. Education is a preventive of crime and a remedy for vicious associations.

## COSTS IN CRIMINAL CASES.

There was appropriated by the last General Assembly for the payment of costs in criminal cases for 1881 and 1882,  
\$340,000 00  
 There has been expended..... 297,270 00

Leaving a balance of..... \$42,279 30

Considering the very large number of prosecutions and convictions within the last two years, and that crime of every grade has been so well held in check, this economy is creditable to the courts and officers of the law.

The following table shows the expenditure of such costs for the last twelve years.

1869-70.....	\$414,954 86
1871-72.....	344,078 38
1873-74.....	386,348 07
1875-76.....	360,606 69
1877-78.....	511,547 90
1879-80.....	376,578 61
1881-82.....	279,270 70

My predecessor wisely said, in his message to the 30th General Assembly:

“There was formerly a statute which provided that in all criminal cases there should be a lien on all the property of the defendant for the payment of costs and fine which might be adjudged against him, and which lien should date from the day of the arrest of defendant, or from the date of the indictment found, whichever might first happen. I advise a similar provision be adopted. Criminals sentenced to the penitentiary are sometimes kept in the jails many days after the judgment and sentence has been rendered, and



when no appeal or writ of error is pending. This entails additional expense to the State; for the cost of feeding a convict in the penitentiary is about ten cents per day, whilst in the jails it is fifty cents per day. This unnecessary delay in sending convicts to the penitentiary should be remedied."

#### RAILROADS.

I invite the attention of the Legislature to the Seventh Annual Report of the Board of Railroad Commissioners. It is full of valuable matter. The board has discharged its duties with fidelity and intelligence; exciting, by its just action, no deserved criticism from the people or the corporations, and having the great interests of both under constant consideration, with but one object in view—to so adjust the rights of each, according to the principles of justice, that both may be saved from bickering and hostility. I present a comparison of the year 1882 with those of 1880 and 1881, showing the per cent. of gain in the leading features of railroad business, which exhibits the prosperous conditions of the roads:

Number of miles of railroad in Missouri in 1882.....	4,500
Number in process of construction.....	150
Increase of 1882 over 1881.....	266
Increase of 1882 over 1880.....	494
Capital stock on railroads at close of 1882.....	\$135,000,000
Bonded debts on railroads at close of 1882.....	148,500,000
Total stock and debts.....	283,500,000
Increase of 1882 over 1881.....	16,758,000
Increase of 1882 over 1880.....	59,108,000
Gross earnings in 1882.....	33,000,000
Increase of same over 1881.....	6,000,000
Increase of same over 1880.....	10,600,000
Operating expenses in 1882.....	22,000,000
Net earnings in 1882.....	11,000,000

From this \$11,000,000 is to be paid the interest on the \$148,500,000 of debts which amounts to about \$8,880,000,



and the balance, \$2,120,000, to be divided between the holders of stock:

Per cent. of increase of net earnings of 1882 over 1881.....	.22
Per cent. of increase of net earnings of 1881 over 1881.....	.20
Gross receipts on passengers, 1882.....	\$7,260,000
Gross receipts on passengers, 1881.....	5,940,000
Gross receipts on passengers, 1880.....	4,928,000
Gross receipts on freights, 1882.....	24,090,000
Gross receipts on freights, 1881.....	19,710,000
Gross receipts on freights, 1880.....	16,352,000
Gross receipts on miscellaneous earnings from transportation, 1882.....	1,650,000
Gross receipts on miscellaneous earnings from transportation, 1881.....	1,350,000
Gross receipts on miscellaneous earnings from transportation, 1880.....	1,120,000

The cost of transportation (to the companies) has gradually diminished for several years past, resulting in part from the largely increased volume of tonnage and travel, and so distributed as to employ their machinery profitably in passing to and fro, along the whole part of the line. The cost to the public (*i. e.* rates) has been 25 per cent. less since March, 1878, than before; resulting from the operation of the law of 1875, as administered by the Railroad Commissioners. This has saved to the people \$25,-000,000 in five years.

Number of persons employed on railroads in Missouri in 1882.....	24,750
Average number to mile of road.....	5 1-2
Highest local passenger rate, 1882.....	4 cents.
Lowest through rate reported.....	1 cent.
Average on all under (tending downward).....	2 cents.
Average freight rate (very little change since 1880).....	1 1-2 cents.

The general condition of the roads is good and constantly improving, the exception being on short lines with light traffic. Iron rails are being replaced with steel, and iron bridges are replacing wooden ones. The first 240 miles



of the St. Louis and San Francisco Railroad is a specimen of excellent track. The capital represented in the roads is shown by the bond account to be \$283,500,000. Their cash cost to the companies cannot now be ascertained. The road-beds generally throughout the State are in excellent condition, and are being constantly improved by labor, and with the safest modern appliances, such as steel rails, iron bridges, trestles with embankments, reducing the sharp curves and heavy grades, and extending over the trunk lines, substantial stone ballasting. The companies repair suggested faults and defects in their road-beds and machinery with alacrity, and we may congratulate them upon the greatly improved condition of their road-beds and character of their coaches and mail and express cars and locomotives; the acceleration of speed with which they move their trains, and the politeness and vigilance of the officers and employes of the various roads.

Along the lines of the old roads are still seen many old sombre-looking depots, which were erected at an early day in their history, and which should be replaced by buildings of more modern architecture, in keeping with the prosperity of the roads. I am satisfied that the managers of our railroads will see the necessity for such changes, and will further elevate their roads in the public esteem by these additional improvements. Section 17 of Art. 12, of the Constitution forbids the consolidation of parallel or competing lines of railroads within this State. This section was not inserted in the Constitution for the purpose of arraying the police power of the State against the roads, but to prevent their franchises and privileges from being used against the interests of the people, and converted into powers to oppress those who invoked them into existence. I do not know that such consolidations as are prohibited by the Constitution have taken place. It is worthy of the consideration of the proper tribunal, and should receive judicial investigation. The Constitution declares that the question shall be decided by a jury, upon proper issues made in the courts. The liberties of no people are safe



who suffer their laws or organic acts to be violated by any individual or combination of individuals. If one or more corporations have disregarded this section of the law, they should be dealt with in the manner prescribed by the law. Those immense powers should yield implicit obedience to the law like individuals, receiving its benefits and protection when in submission to its requirements, and its punishment and penalties when they defy its powers. There should be the most amicable feelings between these corporations and the State, each being essential to the prosperity of the other. The State and various counties having expended large sums of money in the construction of these roads, for the purpose of increasing their population, developing their resources, adding taxable wealth to communities and supplying cheap and rapid transportation to their citizens and tonnage, cannot view them otherwise than as indispensable public blessings, and cannot fail to recognize their important and friendly relations by impartial legislation.

However rapid may have been the growth of Missouri in the past, surpassing, in the increase of her population and magnitude of her wealth, many older States, there are yet millions of acres of unoccupied land within her broad limits awaiting the investment of domestic and foreign capital in railroads in order to make their markets accessible and make them the homes of an industrious people. This capital will seek investment in those States whose legislation is not inimical to its reasonable remuneration, and will permit it to reap returns upon capital actually invested, equal to the profits realized by capital invested in the ordinary classes of business. If the same wisdom characterizes the legislation of this State in the future, as in the past, we may reasonably expect large investments in railroad construction, and the creation of thousands of new homes upon those idle acres of land. Such investments are now seeking Missouri, and will continue to come—so I am assured—provided it is not repelled by illiberal and arbitrary legislation. The future prosperity of the State, as well as the fullest development of her resources, will depend upon the



enactment of liberal laws and their inforcement against all classes of violators. A prominent Western daily journal said: "The railroads should be fair with the people, and the people should be just to the roads." If that idea is adopted by both parties, both will be benefited to a greater degree than if an antagonism existed between the two.

I call your attention to the necessity for an amendment of sections 83 and 842 of the Revised Statutes of 1879, shown on pages 157 and 158 of the 7th annual report of the Board of Railroad Commissioners, and the reasons for these amendments, as shown on pages 15 to 21, inclusive, of same report. I suggest the propriety of amending sections 792, 841 (as amended by act of March 17th, 1881), and 843. The effects of these amendments will be to render a perfect classification of freight possible; whereas, as the law now is, it is impossible to extend the limitation of rates to all articles of freight, where it is now applicable to only a part of them; to make sections 833 and 835 consistent with section 842 as amended; to simplify the enforcement of the law of rates, to collect all matter pertaining to returns from railroad companies to the Commissioners into one section; to remove discrepancies in regard to same, and to enable the Commissioners to simplify it, to place in a separate section the matter of reports of the Commissioners to the Governor, and to provide for the publication and distribution of the same; to require the Commissioners to inspect the railroads twice a year, and to investigate the causes of accidents.

#### COMMON SCHOOLS.

What is said hereafter of the State University and Normal Schools covers so completely my views on all grades of education that but little can or will be said under this head. The common schools of the State are in a prosperous condition, as will be shown by the data subsequently given.

On the 1st of January, 1883, closes the official career of Hon. R. D. Shannon, as Superintendent of the Public School system of this State. He has filled the office for the



last eight years with ability, wisdom and efficiency. To no one who has occupied that office, does Missouri and the cause of education owe more for the simplicity and excellency of the school law and the good results flowing from its management, than to Dr. Shannon. He has done his duty well and his deeds will follow him. I refer the General Assembly to his late report, which fully sets forth wherein the school law is defective and should be amended. Although the following facts collated by Dr. Shannon have already been presented in one of the public journals in St. Louis, I deem them sufficiently important to present to you:

## SCHOOL FUNDS OF THE STATE.

Total amount of permanent productive funds in the several counties, (county, township, etc.,) and in the city of St. Louis.....	\$6,124,083 84
Add State Fund (proper).....	2,912,517 66
Add Seminary Fund.....	122,095 08
Add Agricultural College Fund (sale of lands).....	213,000 00
Total.....	\$9,371,696 58
Add University Fund (bonds not heretofore reported)..	200,000 00
And we have.....	\$9,371,696 58
Comparing these figures with those given in the last published report of the school Department, (1880) we will find an increase in the county funds (actual increase or part not heretofore reported by county clerks) in two years of.....	\$205,165 87
In the State Fund of.....	2,725 00
And the University Funds of.....	313,000 00
Total increase.....	\$520,890 87

The report of 1880 showed that Missouri was the second State in the Union in the amount of permanent funds set apart for public education—Indiana surpassing her \$114,449.02. But as Indiana has no county or township funds



and no fixed or certain provisions for the increase of her State fund, Missouri has advanced beyond her, and now has considerably the largest amount of funds devoted to public education of any State in the Union.

Nor does the amount above given represent all of our school funds. The fines, forfeitures and penalties realized during the year belong to the county school funds. During the last school year the county clerks report the amount collected as \$91,168.91. I have not included them in the statement of the amount of the funds, for the reason that a few clerks reported that they included the fines, etc., in their reports of the amounts of the county funds; and I have no means of determining the exact amount thus erroneously placed. Still, I am sure not many thousand dollars were thus reported.

#### SCHOOL CENSUS (1882).

Total enumeration.....	741,632
Total enrollment.....	488,091
Per cent of enrollment to enumeration.....	.6581
This is an increase (in 2 years) of enumeration of.....	18.148
And an increase (in 2 years) of enrollment of.....	5.105

Considering the facts that our school age is between 6 and 20 years (covered by the enumeration), that very few attend school after the 18th year, and very many not after the 16th year; that the enrollment does not include those attending private, denominational or parochial schools, the University, the four Normals, or the schools of other States; while the enumeration includes all of these, the per cent. of enrollment or attendance is seen to be most excellent. Indeed, I do not believe that it is surpassed in any State.

#### EXPENDITURES.

For the last school year.....	\$3,468,738 67
Which is a per capita, on enumeration, of.....	4.677
Which is a per capita, on attendance, of.....	7.106



It must be borne in mind that five large, wealthy and populous counties make no report of expenditures (on account of township organization), while they do report school population and receipts. The five doubtless expended \$150,000 for schools.

School houses owned.....	8,272
Increase over 1880.....	23
Schools in operation (white) 8,321, (colored) 501— total.....	8,822
Increase (white) 172, (colored) 9—total increase.....	181
Teachers' wages paid.....	\$2,226,609 58
Increase over 1880.....	8,972 22
Number of teachers employed.....	10,607
Decrease since 1880.....	1,052
Average salaries paid teachers per year.....	\$209 91

It is impossible to tell the average number of months schools have been taught, owing to the defective reports made to the Superintendent's office; but assuming that average to be five months, and I think it will not exceed five, the average monthly salary of teachers would be \$41.98.

The estimated value of school property in the State, exclusive of the University, four Normal schools and the schools for the blind and deaf and dumb, is \$7,521,695.08.

An increase since 1880 of.....	\$168,293 86
The estimated seating capacity of the schools is.....	516,942
An increase of.....	27,807

The total amount of taxes levied by the school districts (DeKalb and Macon counties not included) is \$2,-286,191.66, which is \$0.41 on the \$100 of assessed valuation of taxable property for State and county purposes.

#### NORMAL SCHOOLS.

The three Normal Schools, located respectively at Kirksville, Warrensburg and Cape Girardeau, are in a flourishing condition. They are situated in three of the



geographical divisions of the State and are easy of access by rail at all seasons—the one at Cape Girardeau being also accessible by water. They are located in communities distinguished for their intelligence and morality, and have grown into public commendation and patronage so rapidly that they may now be considered an indispensable part of the educational system of Missouri. No State is assuming a more prominent and pronounced position in favor of all grades of education than Missouri. Beginning with the Kindergarten system in cities and towns, ascending to the common school grade, the school of manual training, the high school, the Normal School, the School of Mines, the denominational colleges in various sections of the State, Washington University in St. Louis, and to the State University at Columbia. These form an educational unity of which no defence is required, as its perfection is rapidly passing beyond the limits of just criticism. Few, if any, of the other States have a larger or more safely secured school fund than this State.

There have been enrolled during the present school year at the Warrensburg Normal School 364 students, being a net gain of 85, or more than thirty per cent. over the enrollment of the corresponding date of last year. This does not include the school of practice, which enrolls 69.

During the last school year 365 students matriculated, all of whom filed written declarations of their intention to teach in this State. One hundred and seven were teachers of some experience before matriculation, and 239 designed making this profession their permanent calling. Of the number registered last year, 388 were residents of Missouri and 7 from other States. The attendance from this State represented 33 counties. The occupations of the parents of these students are as follows: Farmers, 68; mechanics, 9; all other callings, 23.

The number of students enrolled at the Kirksville school during the year ending June, 1882, was 481. Number enrolled present year, up to December 1, 1882, 350. Not having information before me, I am unable to state the



number of counties represented by the students in this school, the number who have taught or intend making teaching their calling, or the occupations of their parents. This school has an enviable reputation secured by the thoroughness of its curriculum, and by the excellent qualifications, character and devotion of its corps of teachers.

There were enrolled at the Cape Girardeau School last year 225 students. This year, to December 1st, 211, with the expectation that it will reach 300. Considering that this school is, by several years, the junior of the other Normal Schools, and is situated in a part of the State less populous than are the communities surrounding the others, it has an enviable record. It is under the management of one of the best and most ardent educators in the State, whose reputation is co-extensive with its limits. He is supported by an able and zealous corps of teachers. Its location is not surpassed by the other schools in those elements which enter into the success of such an institution. These schools have grown in popularity during the last two years as the public realizes more and more the virtues of the system through the efficiency of the teachers they send out. Heretofore the State has depended largely upon teachers from a distance to supply the demands of our public schools. Now they go forth from our Normal Schools, equally as well—and in most instances better—qualified than the foreign teachers, and additionally equipped with a grateful interest in the progress of the schools of our State, which has, through its generosity, supplied them with such ample opportunities for education. There is a constantly increasing demand made on these schools for trained teachers, which, I regret to say, the schools have not been able to supply. The Legislature should give these schools every legitimate facility for meeting these demands. It is the most economical way of expending the public revenues. School houses are more honorable and profitable to the State than ignorance, crime and prisons. The late census shows the startling fact that of the illiterate residents above the age of ten and unable to read, Missouri stands 29th in



the list of forty-seven States and Territories—8 9-10 of her population being in that unfortunate condition, while 208,754 of her population are unable to write. It may be that a large percentage of this illiteracy exists among the colored population. Even if this be true, it should not be allowed to remain so, and steps should be taken at once to remedy this great evil. No State does its full duty to itself or its citizens until it affords every convenience and opportunity—with or without cost—for the education, to a reasonable extent, of every child within its limits.

#### LINCOLN INSTITUTE.

This institution belongs to the Normal School system of Missouri. During the last school year it matriculated 148 students. The number matriculated this year, to date, is 130, as against 125 at the corresponding date last year.

It was established by the liberality of colored soldiers for the purpose of educating the colored youths of this State, to the end that some—if not all—of them might become teachers in the schools set apart for that race. The school has proven a success, especially so since it has been placed under the management of Prof. Page, who is one of the most competent and diligent educators in the State, and whose devotion to the cause has placed the institution over which he presides upon the elevated ground of being worthy of the consideration of the Legislature and patronage of the State. The prejudice that once existed against it is rapidly subsiding, which is in part, at least, attributable to the fact that its course, as far as it goes, is thorough in morals as well as in mental improvement, and that it is, alone, an educational institution for the enlightenment and advancement of the colored students, male and female, who attend it. It supplies a demand that no other institution in the State could supply; therefore, it should be recognized as one of the permanent and indispensable colleges of the State. The necessity of the situation demands the greatest assiduity and care in the education of the colored children



of the land; as, in so doing, we make of them better men and women and more useful citizens, and afford home means of educating their guardians and parents who had no educational advantages in their earlier years. We, to-day, have imposed upon us by the law of the land—as well as by the dictates of common humanity—the double duty of educating both the young and the old of this race, and we should allow neither neglect, prejudice nor indifference to swerve us from this obligation. The old cry that “it will do no good” has already been proven to be fallacious and we should ignore it without regret. It is in opposition to all the teachings of the past and the christian sentiment of the present. The four Normal buildings require—to a greater or less extent—immediate repairs in order to preserve them from decay and render them comfortable for the students. Under the provisions of an act entitled “An act requiring the Governor to appoint a special committee of the General Assembly to visit and examine the institutions of the State,” approved March 3d, 1881, I have appointed Hon. T. V. Bryant upon the part of the Senate, and Hons. Harry Lander and C. H. Storts upon the part of the House as such committee, to visit and examine all of the State institutions except those located at the seat of government. The committee will make a report to you “showing the condition and management of said institutions \* \* \* and such other facts and recommendations as may be deemed pertinent for your information.” They will report to the General Assembly what architectural changes, repairs and improvements are necessary in the various State institutions to fully equip them for the purposes for which they were designed, except in the case of Lincoln institute. This school being located at the seat of government, the committee has no authority to examine it. I therefore call your attention to the special necessity for an examination into the wants of the school by the Legislature. The last General Assembly appropriated \$5,000 to be used in the erection of a dormitory at the Institute. This sum was not sufficient to complete it. A sufficient sum ought to be



appropriated by this Legislature to complete the dormitory and make necessary improvements upon the main buildings. For a detailed statement of the needs of the school I refer you to the report made to your respective bodies.

#### THE STATE UNIVERSITY.

The University of the State continues to prosper under its present efficient and enlightened management. Despite the failure of crops in 1881 and the hard times consequent thereon, the number of students in attendance upon the various departments of the institution will, for the year 1882-83, reach upwards of five hundred.

Each department of the University is in good working order, the various chairs being filled by able and learned professors. With the present prosperous condition of the State, there is a fair promise that in the future the number of students will be largely increased, and that the institution will continue to meet the enlightened purposes for which it was originally founded.

Our State has an excellent educational system when properly analyzed and understood, and in this connection the true character of this public school system cannot be too earnestly or too frequently impressed upon the intelligent public mind. The fundamental idea of our system of free government is that it must rest upon the morality, intelligence and culture of the people. It embraces in its scope not only the common schools but also the higher instruction provided for the University; the one is intended to supplement the other; they give mutual strength and both are needed to insure that better intelligence so essential to good citizenship in a free country.

Even prior to the adoption of the first State Constitution of Missouri this was the thought which guided the enlightened men of that day. Under the "*Enabling act of March 6th, 1820,*" which authorized the inhabitants of the territory to organize themselves into a State, provision was made for common schools by the dedication of every



sixteenth section of the public land for this object, and at the same time setting apart two townships of the public land for the founding of "*A University for the promotion of the arts, sciences and literature.*" Thus the common school and University were inseparably blended. The lower and higher education were thus provided for in the same "*Enabling act,*" and "*came to birth with the birth of the State itself.*" "One University, many common schools, which meant concentration for the higher education, diffusion for the lower." Thus it is that these two parts of the same system were established at the same time for the education of the people. This was the provision made by the wise and intelligent men who laid the foundations of our State government more than a half century ago; this was the system which they pledged themselves to encourage and maintain, and which they deemed necessary to afford that culture to all who might inhabit the State in the future, and which would enable them to be honorably associated with citizens residing in the other States which might compose the American Union. And who in this age of progress would change this system? Who would not fortify, strengthen and maintain it and thus enable the youth of Missouri, male and female, to enjoy advantages of education equal to those of any other State or country?

It is creditable to the people that in the first Constitution adopted by them when Missouri was admitted as a State into the Union, the system of education above described was incorporated, and amid all the political changes and fluctuations of parties which have since occurred, and in every Constitution under which the people have lived down to this time, the same system has been recognized and a solemn pledge given to maintain it. It was embodied in the Constitution of 1865, and with only a change of phraseology it is found in the present Constitution, adopted in 1875. In article eleven, section one, we find the following:

SECTION 1. A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the General Assembly shall



establish and maintain free schools for the gratuitous instruction of all persons in this State between the ages of six and twenty one years.

And in section five of the same article we have the following explicit language:

*"The General Assembly shall, whenever the Public School Fund shall permit, and the actual necessity of the same may require, aid and maintain the State University, now established, with its present Departments."*

How is this public school system to be sustained? In article eleven, section six, subject, Education, will be found a clear and distinct definition of what shall constitute the "Public School Fund," and which fund "*shall be securely invested*" and "*sacredly preserved*" as "*a Public School Fund,*" the annual income of which fund, together with as much of the ordinary revenue of the State as may be necessary, shall be faithfully appropriated for establishing and maintaining the free schools and the University in this article provided for, and for no other uses or purposes whatsoever.

Under the latter clause of this section not less than 25 per cent. of the State revenues has been for many years past set apart for the purposes named in said section. It has never been definitely settled what portion of the above fund, or of the income thereon, shall be set apart for the free "*public schools,*" and what part for establishing and maintaining the "*State University.*" This question has therefore caused some embarrassment, and as certainty of annual income both for the free public schools and for the University is a matter of vital concern, I call your attention to it in order that the same may be equitably settled by proper legislation; and if it is deemed the wisest policy to set apart for the free public schools the whole amount of the 25 per cent. of the State revenue, then it would seem but fair and just, as well as in strict accordance with the letter and spirit of the Constitution, that an amount commensurate with the wants of the University, as recommended by its Board of Curators, should be appropriated out of the remaining



revenues or other funds belonging to the State and not otherwise appropriated.

#### A PERMANENT ENDOWMENT FUND.

In this connection it is proper to call your attention to the State providing a *permanent endowment fund* for the University. If this were adequately done and the fund profitably and safely invested, the annual interest thereon could stand in lieu of the appropriations now asked for at each meeting of the General Assembly. This policy would not increase the expense of the State, whilst it would insure certainty and uniformity of income upon which the authorities of the University could always rely, and at the same time relieve the General Assembly of the contests which usually attend the passage of laws making the appropriations. When it is remembered that no part of the permanent fund belonging to the University has been granted by the State, but has been derived wholly from local subscriptions and other sources, the justice and propriety of the demand for a permanent endowment will be readily recognized.

It has not been unusual for other States much younger, less populous and possessing far less wealth than Missouri thus to endow colleges and universities belonging to and under the control and government of the States, and bearing the same relation to the State in which they are located that the State University bears to the State of Missouri. *Michigan, admitted into the Union in 1837, seventeen years after Missouri*, has appropriated for her university proper for buildings and permanent improvements, \$344,000. For permanent endowment fund, \$480,000, on which the State pays 7 per cent. interest. The standing annual appropriation for the University is in addition, \$46,500. And at every session of the legislature extra appropriations are made for *current expenses*.

The Agricultural College of Michigan is not connected with the University, but is located at Lansing. For the support of this institution for lands, erection of buildings,



fixtures and permanent improvements, the State has appropriated the sum of \$581,756. The endowment fund amounts to \$173,418, on which the State pays 7 per cent. interest quarterly.

*California, admitted into the Union in 1850, thirty years after Missouri,* has appropriated for her University proper, for buildings and equipments, the sum of \$440,710. State permanent endowment fund \$870,000, on which the State pays 6 per cent. interest annually for the support of the institution, \$52,200.

In California the Agricultural and Mechanical College is made a part of the University, the same as ours. For buildings and for the support of this department, the State has appropriated \$276,897.

#### INVESTMENT OF THE PUBLIC SCHOOL FUND.

Under the law a large part of the funds belonging to the common school, formerly held in bonds of the State of Missouri, have been invested in a *certificate of indebtedness of the State*, bearing six per cent. interest per annum. This certificate is intended to be perpetual, and affords a safe and permanent investment of these funds.

There are other funds belonging to the Public School Fund of the State, held also in bonds of the State of Missouri, now called in for redemption. This fund amounts to upwards of \$200,000, arising from the sale of Agricultural College Lands made by the Board of Curators during the last year. These funds, under the law, are for the benefit of the Agricultural and Mechanical College, located at Columbia, and the School of Mines, at Rolla. Under the restrictions of the State Constitution the Board of Curators meet with some embarrassment in reinvesting these funds; to provide for their security and permanence, it is recommended that a *certificate of indebtedness on the part of the State* be issued for the amount of these funds similar to the certificate above referred to, issued for the benefit of the common schools, and bearing the same rate of interest now



paid upon the bonds. There will be other funds derived from the same source and other sources paid into the State Treasury for the benefit of the Public School Fund of the State, and it is recommended that the law passed at the last session of the General Assembly "To encourage and increase the Public School Fund of the State," be so amended as to *authorize the issuance of a common State certificate* for all such moneys thus added to the Public School Fund.

As our population and wealth increase, it will offer an inducement and encourage persons benevolently inclined to dedicate a portion of their means to the sacred cause of education. A policy kindred to this has been successfully pursued by a number of States of the Union, as in the cases of Michigan and California above referred to, and many others that might be mentioned. The State, so deeply interested in all that pertains to the education of the rising generation, will always find ample use for any moneys thus likely to be added to the Public School Fund. The State thus becomes the trustee for funds given or granted for public educational purposes, holding them in her own hands, and having a guarantee at the same time that the interest on all such funds is sacredly expended for the precise objects for which they were granted or donated.

#### THE UNIVERSITY COMPOSED OF VARIOUS COLLEGES.

Unlike many colleges under control of the different States, the policy of concentration has been mainly pursued in Missouri. The University consists of various departments or colleges, the management of a common government, and where, without the expense of multiplication, the different professors are utilized in each, as their services may be needed. In addition to the courses in science, literature and art, usually taught in colleges, there are in the University the Departments of Agriculture and Horticulture; the Normal Department; the Department of Civil Engineering, together with the professional schools.



Besides the great saving of expense, there are many advantages secured to the youth of the State by this association of various schools under one government. With the prospective increase of students, it will be at once seen that there is an imperative necessity for more room, either in the enlargement of present buildings or the erection of others, all available space being now fully occupied.

#### IMPROVEMENT OF THE AGRICULTURAL COLLEGE FARM.

Under the law of Congress of July 2d, 1862, there were certain conditions attached, to which the assent of each State accepting the grant should be given. On March 17th, 1863, the General Assembly, by resolution assented to all of said conditions, and pledged the faith of the State to the faithful performance of the trust therein created. Among these conditions was the following: "*Second—No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, in making improvements; in the purchase, erection, preservation or repair of any building or buildings.*"

The States were required and agreed to do this, and as Missouri has never appropriated any amount for this purpose, or furnished any labor for these improvements, I commend to you a careful consideration of the recommendations that shall be made to your honorable bodies by the Board of Curators upon this subject.

#### NUMBER OF THE BOARD OF CURATORS.

Prior to the adoption of the Constitution of 1875, under laws that then existed, the number of the Board of Curators had increased to twenty-three or twenty-four members, making the body both expensive and unwieldy. In an effort to remedy this difficulty, the convention went to the other extreme, and reduced the number to nine (9), making the Board too small, with the important duties and responsibilities attaching to the office. It is recommended, therefore, that an amendment be proposed to the Constitution,



to be submitted to a vote of the people, increasing the number of the Board to fifteen, in order that the responsibility be further divided and the different parts of the State be more fully represented in said body.

Constituting, as the University does, with its various departments, including the School of Mines and Metallurgy, a most important part of the Public School system of the State, and desiring to see that system maintained and strengthened in all its parts, together with the Normal Schools and Lincoln Institute, created by statutory enactments of the General Assembly for the education of the colored youth of the State, I have deemed it proper to make to your bodies the foregoing suggestions and recommendations. For a more detailed statement of the wants of the University and its various departments, including the School of Mines and Metallurgy, of the Normal Schools and Lincoln Institute, I commend to your careful consideration the recommendations which will be made to your body by the respective Boards of these Institutions.

#### SCHOOL OF MINES.

The School of Mines and Metallurgy at Rolla is in a flourishing condition. It fills a vacuum in the educational system of the State which no other school or college could, as it makes the education of the young in Geology and Mineralogy a specialty. The rich mineral developments in this State and in all the Western States and Territories have caused a demand for mining engineers; and those who have gone forth from this college have been well qualified for the duties of their profession, consequently have generally received lucrative compensation. It is situated in a locality well adapted to such an institution, and should receive the most generous encouragement from the legislative bodies of the State.



## MANUAL EDUCATION.

I desire to call your attention to a new feature in the education of boys, developed by the Manual Training School of Washington University, St. Louis. This school was established through the subscriptions of citizens of that city, for the purpose of testing the feasibility of uniting manual training—by which is meant systematic instruction and regular practice in the use of tools—with the ordinary teaching from books, which is intended to develop and discipline the mind. The success of the school appears to have fully met the expectation of its founders, and it has become a permanent feature of the University. The curriculum of the school covers three years. Boys from fourteen to eighteen years of age are carefully taught the art of the mechanical draughtsman, and to use the tools of the carpenter, the wood-turner, the blacksmith and the machinist; and during the same term they make the usual progress in literature, mathematics and science. It is contended that in this system better intellectual results will be secured, in consequence of the knowledge and command of the materials and forces which, to so great a degree, form the basis of all intellectual life. They claim that two points have been clearly proven: One is, that, when properly taught, boys learn the use of tools in a surprisingly short time; and the other is that the manual feature produces an unusual interest in, and relish for, school life. In the St. Louis school the effort has been to introduce those tools and processes which have the greatest breadth of application in the industries of our people. Methods of working wood and iron are of almost universal application, and one who is trained to expert and careful workmanship in these, turns easily and successfully to other arts involving the use of machinery and edge tools. I learn from Prof. Woodward, the projector and director of the school, that two hours each day are spent in the shops, and that the shops are taken in regular order by all the pupils of the school. The full details of particular trades are not taught, and no articles



are made for sale. The shop exercises are designed exclusively for instruction and discipline. From first to last, boys are taught to make and use working drawings, and daily programmes cover six full hours. It is not claimed by the managers that the exclusive object of the school is to make mechanics. It is intended to give to every pupil a full and symmetrical development of his powers, so that, whatever may be his choice of occupation, it will be wisely made. In my mind it is a school of vast importance, because the influence of a manual training school will be to divert a large proportion of its graduates from the already overcrowded professions to the adoption of industrial pursuits. They will become manufacturers, superintendents, foremen, engineers and skilled mechanics; and this result is much to be desired in this country. Men skilled in those pursuits are always in demand. Our present supply of trained mechanics is largely from foreign soil, and our American boys, with a taste for tools, have not had a reasonable opportunity to cultivate them. The same facilities should be given the boys of our own country to obtain such an education as are enjoyed by the youth of trans-Atlantic countries. The old system of apprenticeship is about at an end, and it is necessary, if we propose to protect the interest of our industries and consult the welfare of our youth, to devise some means for their proper training. In our ordinary and more advanced schools the only avocations aimed at, and in which positive interest is aroused, are commerce, buying and selling, banking, reckoning accounts, keeping books, and the so-called "learned professions" (a misnomer, in my opinion). The ordinary school boy gets the idea that it requires no education to be a mechanic; hence he aspires to what he calls a higher profession, a higher vocation, and foolishly learns from vicious sources, to despise both craft and craftsman. If this pernicious tendency can be corrected, and the dignity of skilled labor and skilled workmen be maintained by the introduction of manual training into grammar schools and schools of high grade, great good will be accomplished. In this material



age in which we are moving so rapidly, and learning and unlearning so much; when society is in a state of such rapid transition; when the boy of the tow-path becomes the leading statesman of our country, and the son of the millionaire of to-day becomes the toiler or the loafer of to-morrow, it becomes us to consider this system of training with calm deliberation, and to thank those broadminded, practical gentlemen who have inaugurated it in our midst, and made it—by its adaptability to our wants—a part of the educational system of our State. It makes no appeal to the State for financial aid. Being a friend of the intellectual, moral, physical and mechanical education of the young of this State, I have no hesitancy in directing the attention of the Legislature to this Manual School as one of our educational ornaments, worthy of the patronage of our sons and the respect of our citizens.

#### ASYLUM FOR THE INSANE.

Insane Asylum No. 1, located at Fulton, has 500 patients in charge. Of these 274 are males and 226 females. There are at least one hundred patients in this asylum above its capacity for proper treatment. In consequence of this the Superintendent has been compelled to reject a large number of applications for the admission of chronic cases, or cases of over twelve months' duration. Within the last two years 364 patients have been admitted, 203 males and 161 females. Of these 175 have recovered and been discharged, or a fraction over 48 per cent. of the number admitted. Of the 364 admissions, only 205 were insane for a period of less than twelve months; and the recoveries were, therefore, about 85 per cent. of the recently admitted cases. One hundred and forty-five of the recoveries were treated less than twelve months; ninety-nine less than six months, and only ten for more than two years. These facts show the importance of early treatment. Ample provisions should be made for this, so that cases, as they occur, may be treated in the incipency of the disease. Delay



in such treatment is inhuman, dangerous and in the end costly. Experience and observation teach that after insanity continues for a longer period than one or two years not one case in five recovers. The average cost of each of the 175 recoveries above referred to did not exceed \$100. In view of this I appeal to the Legislature to make ample provision for the treatment of the unfortunate in our State who are suffering from this most fearful of all maladies. Dr. Smith, the Superintendent of the Fulton Asylum, writes me that "the number (of insane) now unprovided for in Missouri will more than fill another asylum, larger than the one at Fulton." He recommends the enlargement of each of the asylums, so that they would each accommodate 600 patients. The Fulton Asylum is managed with economy and sound judgment. The general condition of the building is good and the health of the patients excellent. Many valuable improvements have been made within the past two years. At the close of the year there will be a deficiency in the salary account of \$2,585.88, caused by the election of Dr. Henry, who was placed in charge of the hospital for insane criminals, and by the increase of the salaries of several officers of the asylum. The report of Superintendent Smith will place before the Legislature a detailed account of the condition and wants of this asylum.

#### INSANE ASYLUM—ST. LOUIS.

The last General Assembly appropriated \$30,000 for the support of the indigent insane in this asylum, to be paid upon the requisition of the Treasurer, endorsed by the Mayor of St. Louis. This is not, properly speaking, a State institution. It belongs to the city; but as the city of St. Louis pays such a large proportion of the taxes of the State, and it is said so many indigent persons are wrongfully sent or wander into that city to be cared for, the Legislature, in its wisdom, thought it right to make this appropriation. After diligent effort, I have wholly failed to ascertain from the managers of this asylum the number of patients cared



for, who come from the State outside of the city of St. Louis.

#### INSANE CRIMINALS.

The General Assembly should consider the feasibility of repealing the act of the Legislature, approved March 26th, 1881, entitled: "An act to provide for the medical treatment of insane criminals," and providing for the return to this place of so many of the criminal insane as are now confined at Fulton. I think that experience will demonstrate that a separate building for their accommodation and treatment should be erected within the walls of the penitentiary. It is said that the proximity of the insane criminals to the patients in the regular asylum has an injurious effect upon both classes. The building erected for the accommodation of the insane criminals at Fulton can be utilized for the accommodation of the excess of the insane crowded into the other buildings.

#### MISSOURI SCHOOL FOR THE BLIND.

This school is located in the city of St. Louis. The last Legislature appropriated \$42,000 to this institution, \$5,000 of which was for repairs and refurnishing, \$1,000 for replenishing the library and \$16,000 additional for salaries. Ninety-one pupils have enrolled since September 11th, 1882. With one single exception, the health of the pupils has been excellent. The buildings are in fair condition, but will require some repairs which will cost about \$5,000. The Superintendent and teachers perform their duties faithfully. The Board of Trustees perform their labor of love with singular devotion, doing everything within their power to give light, knowledge and pleasure to the inmates of the institution.

#### DEAF AND DUMB ASYLUM.

This institution is in an excellent condition, provided with efficient instructors and all necessary appliances to render the inmates comfortable. It is under the manage-



ment of an excellent gentleman, whose whole life is devoted to the care of those under his charge. He writes me that "the pupils have enjoyed perfect health and have exhibited a gratifying disposition to prosecute their studies diligently and to acquiesce in all reasonable measures for the maintenance of order." The Legislature should not, by meagre appropriations, deprive this unfortunate class of anything that would contribute to their comfort and happiness. Their wants are few and should be bountifully supplied. Some improvements are imperatively demanded, the details of which will, in due time, be laid before you.

#### BOARD OF HEALTH.

There should be a Board of Health established in this State, with its headquarters at St. Louis. It should consist of five physicians, selected from the different reputable Schools of Medicine, the Board to have charge of the State sanitation and to act as a Board of Censors in the regulation of the practice of medicine and surgery. The State is full of medical quacks who are killing annually, through their criminal ignorance, more men, women and children than die from natural causes. The Legislature should give this question serious consideration, as it is one involving the lives of the people and the reputation of the State.

#### THE SUPREME COURT.

The attention of the Legislature is called to the importance of making immediate provision for the relief of the Supreme Court. The court is now more than fourteen hundred cases behind its work and that number is steadily increasing. It is a physical impossibility for the Supreme Court, as now numerically constituted, to relieve itself of the accumulation of business now embarrassing it. The judges perform an extraordinary amount of labor but are confronted with a daily increase of the number of cases upon the docket. But slight relief was experienced by the passage of the law giving the judges the power to determine



what opinions should be written in detail. It is said that over three years of labor have accumulated in the court. The delay in the adjudication of cases, which this accumulation occasions, is simply a denial of justice, and especially so to persons of moderate means. Expedition in litigation increases the respect of the people for the laws and for courts. The proposed constitutional amendment for the relief of the Supreme Court, by increasing the number of judges, having been so largely defeated at the late election, convinces me that the electors desire the adoption of some measure of relief less permanent and more expeditious in its work. This legislature should not adjourn with this important question unsettled. In my judgment, the creation of a temporary commission, invested with proper power, would answer the demands of the situation. This plan has been tried in many States and has, so far as I am informed, proven satisfactory in every instance.

#### THE CONSTITUTION.

I have been urged by many of the most thoughtful and intelligent citizens of Missouri to recommend to the Legislature the calling of a convention to make a new State Constitution. I do not feel it to be my duty to do more in that direction than to call your attention to the respectable demand for such a convention. That our present Constitution possesses many serious defects cannot be questioned. Whether these defects can be remedied or eliminated by the ordinary process of amendments adopted by the people, in the manner provided in the Constitution, or whether they exist in such numbers as to render their elimination or correction impracticable by amendments, you, alone are competent to determine. It is not my province to advise you in this matter. I can only urge you to take such action in the premises as your superior judgment may suggest as being best calculated to insure to the people of the State of Missouri a Constitution worthy of the dignity and commercial importance of such a State and as



will most surely guarantee to her citizens all the rights which free people should possess.

#### THE MILITIA.

I call your attention to the importance of a well regulated militia. Such a body of men is a vital necessity in every State, as it is sometimes the last resort for the preservation of peace and the enforcement of the law. No State is entirely safe, at all times, without such an organization. It is well said that it is the only power that can vindicate the rights and preserve the liberties of the people and the autonomy of the State in certain emergencies without calling upon the general government, and its existence may prevent the necessity for its use. The fact of its existence and the belief in its readiness to perform its duty in the enforcement of the law and the preservation of the peace often has a deciding influence against the formation of lawless organizations. It is both unwise and dangerous for a State to be without a properly organized militia force ready for any emergency. A State ought not to appeal to the general government in every time of danger. A community, like an individual, should be self-reliant and always able to protect itself in emergencies. The usefulness of such a body of men does not depend so much on the number of men enrolled as upon the discipline and efficiency of the several commands; and to secure these we should look to the character, intelligence and patriotic devotion to the State of the officers and men in the service. As the body of men already enrolled in the military service of the State is not large—in fact not commensurate with the growth and dignity of the State—some arrangement should be made for placing the troops, periodically, in camp service. This cannot be done without a reasonable appropriation. This should be seriously considered. Sudden danger may find us unprepared. With special pride I call your attention to the commodious armory hall erected by the foresight and liberality of a few of the prudent property-holders of the city of St.



Louis. It is used as the headquarters of the artillery, cavalry and infantry military forces of that city. It is sufficiently large for purposes of drill and possesses all the appliances for athletic exercises. The arms of the State now held by the several branches of the military service are securely preserved in that building. This building was erected at a cost of sixty thousand dollars, upon grounds valued at twenty thousand dollars. The main building is one hundred and ninety-three feet long and one hundred and nine feet wide. The first floor is occupied by the artillery and the second by the infantry companies. The third floor is a large hall one hundred and ninety feet long by one hundred and six feet wide and is used for general purposes. Some expenses were incurred by the militia during the riot in April, 1881, which should be paid by the State. You will be supplied with a detailed statement of these expenses. The State should recognize the existence of the several military companies in St. Louis with pride. Their organization and drill are so perfect that they have successfully contended in competitive displays and drills with many of the leading military companies of other States, thus reflecting credit upon their own discipline and soldierly bearing and upon the State.

#### IMMIGRATION.

The last General Assembly appropriated for the use of the Board of Immigration \$20,000, \$15,000 of which was to be used in the immediate purchase of not less than 6,000 copies of the Hand Book of Missouri. The books were purchased and distributed as required by the law. They have been eagerly sought by citizens of many States, and have been widely scattered, both in this country and in Europe. The book presents a fair outline of the physical and agricultural history of the State. Various expedients have been resorted to by the board—so its president advises me—to ascertain the number of immigrants who have settled in Missouri within the last two years. In October last, the



board resolved to appeal to the citizens of the various counties, and particularly to the county court clerks to obtain information of the approximate increase of population by immigration alone. From replies received, it is believed that there has been an increase of 225,000, exclusive of St. Louis and Kansas City. This is a wonderful increase, but large as it is, it can still be further increased if the board is furnished the means necessary to execute its well-devised plans. If each immigrant of that number brought but \$1,000 with him, \$2,225,000 have been added to the taxable wealth of the State. The peculiar embarrassments so long overhanging Missouri having been removed by the efficiency of its law officers; with her well managed police; with a soil and climate so generous and productive; her general state of society so pacific and her financial condition and standing so creditable, the State is rapidly attracting public attention, and is, consequently, receiving a thrifty class of immigrants, who come to locate in a land where honesty, intelligence, industry and morality are the only touchstones of success and titles of nobility.

Nature has done much for this State, and it is only left for its citizens to do their part to make it *the* empire of the west. Henry Ward Beecher recently said: "The breadth of country from the Red river country of the north, stretching to the Gulf of Mexico, including Minnesota, Wisconsin, Illinois, Iowa, Missouri, Kansas and Texas, is one of the most wonderful agricultural spectacles of the globe. It is one of the few facts that are unthinkable. In this ocean of land, and nearly its center, *stands the imperial State of Missouri.*" No greater compliment could be paid the State; yet it is no greater than it richly deserves. It is thought that within the next two years there will be greater movements in population from the more populous States of this country and the European States than has ever been known. The Legislature should extend such financial aid to our Immigration Board as will enable it to secure a respectable share of this immigration. Other States with fewer attractions of soil, climate, timber, water, minerals



and health, have made greater exertions in the past than has this State, and have, as a consequence, received large immigration, and are preparing for a still more determined effort in the future in the same direction. Missouri should be fully prepared for this laudable contest. Having no public or railroad lands for sale at government prices, other equivalent inducements must be shown to compensate for this difference in the value of lands. This is pre-eminently an age of contact and rivalry in every department and class of business; and alone to the active and vigilant belong the victory and its consequent rewards. Missouri has been known in the past as the "Robber State." False as that charge was and is, let her hereafter be known in the race for supremacy as the new, free, peaceable, prosperous Missouri, with homes, churches, schools, society and law for all. But the watchful and liberal care of this body is required to make it the realization of the hopes of the most sanguine of our people.

WILLARD P. HALL.

Willard P. Hall departed this life at his home in the city of St. Joseph, on the 5th day of November, 1882. He became Governor of this State upon the death of Gov. Gamble in 1864, and so acted from January 31, 1864, to January 1, 1865. During his administration he conducted the affairs of his office through those turbulent times with such marked ability and fairness that he commanded the admiration of friend and foe alike. He was not a genius, in the common acceptance of the word, but was a man of solid ability, of intense application, unquestioned honesty and dauntless courage. He filled every station in life to which he was called, public and private, with honor. He was an honor to his native State, Virginia; and, by his superb intellect and splendid life, he honored the State of his adoption, and it will preserve his name upon the roll of its most illustrious citizens. As he lived, he died "sustained and soothed by an unfaltering trust" in the rewards of an



upright life; so may he rest; "his faults lie gently on him." As great as were his virtues as a citizen, greater still were his learning and integrity as a lawyer. Life, with him, meant work, not dalliance; duty, not pleasure; and that life may well be adopted as a model by our rising generation.

#### PORTRAITS OF STATE OFFICERS.

The Legislature should appropriate a sufficient sum of money to have the portraits of the ex-Governors and Supreme Court Judges painted and placed in their appropriate places, the appropriation to be expended under the direction of the Governor and Chief Justice of the Supreme Court. Many of our sister States have made such appropriations. Already, through my application, the portraits of Governors Price and Hardin have been presented to the State, and I am promised portraits of Governors Polk and Stewart. This appropriation should not be postponed. The written and unwritten history of the laws and progress of the State were largely exemplified in the official acts of its Supreme Court Judges and Governors.

#### EXECUTIVE MANSION.

The Executive Mansion was erected in 1872-73. Some parts of the building have never been repaired. As a matter of economy, and to preserve the building in a condition worthy of the State and of the purpose for which it was built, and to protect it from immediate decay, it should be properly and thoroughly repaired without delay. It should be painted inside and outside. The blackened and stained condition of the outside of the walls mars the appearance of the handsome structure. The plumbing is in a defective condition and almost entirely useless, and if not soon wholly renovated and reconstructed will render the house unpleasant and even unhealthy. The roof requires early attention. The guttering and spouting are in a disordered condition. The lightning rods and iron railings should be repaired or replaced. The permanent tubs in the laundry are so de-



cayed that they have become useless and offensive. New pumps are needed in the cisterns. I urge upon the Legislature the necessity of giving this matter immediate attention. No State has an Executive Mansion superior to it in architectural beauty, or better adapted to the purpose for which it was so generously erected. I suggest that the repairs be made under the direction of the Governor and Warden of the Penitentiary.

#### IMPROVEMENT OF CAPITOL GROUNDS.

In the act to appropriate money for the support of the State Government for the years 1881 and 1882, approved March 24th, 1881, the sum of one thousand dollars was appropriated for "repairs of the enclosure around the capitol grounds, completing the columns at the entrance gates, and keeping the grounds in order, and for making stone pavements from the gates to the capitol steps, to be expended under the supervision of the Governor."

Owing to the condition of the walks in the capitol grounds, I deemed the construction of the pavements the most important item provided for in the appropriation; but, upon investigation, I found that owing to scarcity of stonecutters in the penitentiary, and the consequent difficulty and cost of procuring stone, the construction of pavements of that material was not feasible without the expenditure of a much larger sum of money than had been appropriated for that purpose.

In view of this, I contracted with J. R. Willis, Warden of the Penitentiary, for the construction of a brick pavement from each of the entrance gates to the capitol steps. Under this contract Mr. Willis has performed the work to my entire satisfaction. The materials used in the construction of these walks, consisting of a thick layer of macadam as a foundation, cement, brick, mortar and stone, for curbing, were all of the best. For this work Mr. Willis has drawn from the treasury nine hundred and eighty-eight dollars, twelve hundred of the amount appropriated having been



used by the Commissioner of Permanent Seat of Government in planting trees, which amount, in my judgment, is a reasonable charge for the materials and labor. I regret that the appropriation was insufficient to pay for stone pavements, but I did not feel warranted in creating a debt for the Legislature to pay hereafter. The appropriation was exhausted upon the pavements, and hence no other improvements contemplated in the act could be made. A substantial stone pavement has been laid from the south gate at the eastern entrance, to the Supreme Court building, and one across the alley in front of the east gate. No appropriation has been made to pay for this work. I recommend such an appropriation as will be sufficient to complete the walls around the capitol grounds, particularly upon the west and river front sides, and pay for cap-stones for the gates, and for the stone pavement already laid. This should be provided for at once by an adequate appropriation, as the walls are being seriously damaged in their present unfinished condition.

#### WATER WORKS.

Since the Board of Inspectors of the Penitentiary have supplied the prison with water works, I think an appropriation of twenty-five hundred dollars should be made for the purpose of supplying the executive mansion and capitol building. For that sum water can be supplied to every room in both buildings.

It is said that over one hundred thousand dollars were expended in the erection of the mansion. If a fire should occur in either of the upper stories there are no adequate means at hand with which to encounter the danger. Is it economy, is it wise, is it right to thus expose this handsome and costly building to such daily danger when, with such a small outlay, it can be so fully guarded and insured against fire? Should a main be laid from the prison to the capitol, I am informed that enough water privileges can be sold to citizens and the city to almost, if not quite, wholly



compensate the State for the expenditure. I do not think the State should engage in the business of peddling water. The Legislature must determine the wisdom of such an enterprise. It is proper to state as a strong reason why some provisions should be made for supplying the capitol and executive mansion with water, that the State has no insurance upon either building.

#### SWAMP LANDS.

For swamp lands disposed of by the United States subsequent to September 28, 1850, and prior to March 3, 1857, the State has received during the years 1881 and 1882, \$20,475.67 cash indemnity and certificates of location authorizing the State to locate the quantity of 9,187.93 acres as land indemnity.

Under the rules and regulations adopted by the Department of the Interior for adjusting the swamp land indemnity claims due the State, the United States special agent is required to make a personal inspection of each tract of land for which indemnity is claimed before testimony will be received touching the character of the same.

It is important that the Register of Lands should accompany the United States agent in his examinations for the purpose of obtaining witnesses to establish the swampy character of the land, and who have knowledge of the land extending as nearly to the date of the swampy grant as possible.

The law makes it the duty of the Register of Lands to locate all swamp land indemnity certificates from sight or personal knowledge of the land. It is also the duty of the Register to make all swamp land selections and take proof of the swampy character of the same.

The tract books in the office of the Register of Lands show a large cash and land indemnity yet due the State, as well as a large amount of swamp and overflowed land to be selected and proven up. The Register is the proper officer to do this work, and in order that it may be done success-



fully and promptly I recommend an appropriation for these purposes of forty-five hundred dollars for the years 1883 and 1884. The Register has been industrious and faithful in the last two years in attending to these swamp land interests of the various counties, and has been instrumental in recovering large sums of money to the several counties.

#### FISH CULTURE.

Fish culture is no longer an experiment in this State. Under the management of the present board of Fish Commissioners the propagation of fish has proven a great success. The board is inviting persons in every part of the State to send for young fish, and our streams will soon be well stocked with the most desirable kinds of food fish. Every owner of a farm in the State should prepare a pond for fish propagation. Such a pond can be prepared for a very small sum of money, and after the fish have commenced spawning a very small outlay of time and money will preserve and protect them. The Fish Commission should receive an appropriation of five thousand dollars annually. The increase of its work and production demands an increase of appropriation. When the last appropriation was made the board was operating the cold-water hatchery at St. Joseph requiring but one superintendent and set of operators. It now has an extensive hatchery in Forest Park, adjacent to the city of St. Louis, embracing six ponds and covering thirteen acres of ground. This compels the employment of an additional superintendent and set of operators. It has been ascertained, by experiment, the cold spring water of the St. Joseph hatchery is not so well adapted to the propagation of carp as the creek and pond water of Forest Park. The ponds in Forest Park were given the board by the city of St. Louis. To operate those large ponds, successfully, the board has found it necessary to employ an expert in fish culture. He is now receiving a salary of but fifty dollars per month, which must be increased in proportion to the increase and importance of the



labor imposed upon him. Under his intelligent care the board will have many thousands of young carp to distribute during the coming year. This can not be done without an increase of expense. The board deems it necessary to erect a small house in the Park, adjacent to the ponds, to be used as an office and residence for the superintendent and a store-room for their implements. Missouri should not be behind her sister States in the cultivation of this most healthful and desirable food. The State is too prominent to be a laggard in anything that contributes to the economy and comfort of living of its laboring classes. The gentlemen composing the board are men of broad, liberal views, who are willing to devote their time to this important enterprise if sufficient means are given them to make their efforts fruitful and of good results to the State. It is a labor of love with them, and the Legislature should willingly comply with their request. The report of the board will be found full of useful information.

#### INSPECTIONS.

I recommend to the Legislature the amendment of articles 1 and 2 of chapter 117, of the Revised Statutes, concerning the inspection of petroleum oils and tobacco. The law governing the inspection of coal or petroleum oils is vague and indefinite, and does not properly provide for the inspection of such oils, or for the protection of the thousands of our people who use such oils for illuminating purposes.

The office of Tobacco Inspector is one of the most important in the State. It is especially important to tobacco raisers. The Legislature should investigate the matter thoroughly, and so adjust the salary of that office that it will command the service of the best talent in the State.

#### INTEREST.

The Legislature should revise the law regulating the rate of interest. As the law now stands, six per cent. is the legal rate of interest when no higher rate is agreed



upon; while, by contract, it may be ten per cent., but shall not exceed that rate. If the Legislature should establish six per cent. as a maximum rate to be contracted for, it would receive the sanction of the people of Missouri. Money is worth no more than that at the present time, by the countenance of healthy trade, and our statutes should not contravene such a natural law. If this change of the rate of interest were made, and the law regulating it properly enforced, I believe it would benefit all classes.

#### DEPOSITIONS.

Your attention is called to the necessity for a radical reform of the law governing the taking of depositions. Such abuses have grown up under our present system that I need only call your attention to the subject, and your observation and experience will suggest the remedy for the evil. As the law now stands, it is frequently taken advantage of by the unscrupulous and malevolent and is converted into an engine to destroy character or extort blackmail. All this can be remedied by the adoption of proper amendments, and I trust that you will give the subject that earnest consideration which its importance merits.

#### SALARIES OF COUNTY OFFICERS.

I earnestly invite your attention to the necessity for a revision of the law governing the salaries of county officers. From extravagance in these salaries a few years since, we have gone to the opposite extremes of stinginess, and the salaries of many of the officers have been so reduced as to afford but a meager subsistence to their occupants, while the pay of deputy hire has been so restricted, beginning with this year, that I fear serious inconvenience in the transaction of public business in consequence of it. The people are willing to deal justly in these matters, and you should thoroughly investigate the question. "Niggardliness in such matters is not good husbandry."



## LABOR.

I especially call the attention of the Legislature to the Fourth Annual Report of the Bureau of Labor Statistics. It is worthy of careful consideration and study. It suggests some evils in certain classes of occupations, which, under the police power of this State, this body has the right and should remedy. The State should require every reasonable safeguard to be thrown around the employes in the various manufacturing, mercantile and other establishments in which there are large numbers of persons at work. Accidents in such places are liable to occur at any moment. The dangers can be mitigated, if not entirely obviated, by precaution. The Commissioner reports that the street car employes—conductors and drivers, are compelled to work from twelve to seventeen hours per day. This, in the language of the commissioner, “imperatively calls for Legislative interference.” “It is against the welfare of society, offensive to morals, a gross abuse to require men—to permit them—to engage themselves in such slavery.” Those employes are virtually deprived of all domestic associations and opportunities for physical, moral or mental improvement. It is not in the interest of the State to permit such demands to be made upon any class of its citizens. It is a compulsory labor, and against the sentiments of the law and the instincts of humanity, and should be remedied.

## PRIVATE PROPERTY—PUBLIC USE.

I desire to call the attention of the General Assembly to two sections of the Statutes which appear to be in direct conflict with the Constitution.

Section 4, article 12 of the Constitution provides \* \* \* \* the right of trial by jury, shall be held violate in all trials of claims for compensation, when in the exercise of said right of eminent domain any incorporated company, shall be interested, for or against the exercise of said right.

By sections 894-896 Revised Statutes, the court in all such cases is specifically commanded to appoint



“three disinterested commissioners” in the first instance’ and the parties are postponed in their constitutional right to a jury until after the report of the commissioners, and exceptions thereto sustained. Now, while this method does not absolutely deny the jury trial, it does subject it to conditions, delays and contingencies which should never be interposed against a constitutional right. No intermediate tribunal should exist in the face of this constitutional prohibition. The rights of private property should be protected against any unusual invasion or disturbance.

#### CONCLUSION.

Reposing confidence in you as representatives of the people, and believing that you will do nothing that will militate against the prosperity of this great commonwealth, I greet you in the sovereign name of those people, and welcome you to this capital with the earnest assurance of my hearty co-operation with you in all measures tending to further security of the happiness and protection of the people and the financial prosperity of our State. Nothing will so perpetuate the history of this General Assembly as the well directed liberality and justice which shall characterize your legislation, when it arises above the prejudices and partisanship of the past, and looks forward to the proud position Missouri must occupy in the confederation of States.

Very respectfully,

THOS. T. CRITTENDEN.



## SECOND BIENNIAL MESSAGE

JANUARY 7, 1885

*From The Journal of the Senate, 1885, pp. 12-71*

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*Gentlemen of the Senate and House of Representatives:*

I am called by the constitution to lay before you for the last time a summary of the condition of the State. While there is safety in a multitude of legislators assembled from the various districts of the State, who are honestly seeking wise legislation and the prosperity of the State, still it is the duty of all to look for that divine guidance, without which the devices and wisdom of man are as dust in the balance. Permit me to congratulate you upon the peaceable condition of our whole country; upon the happy solution of the political troubles which disturbed the usual quietude of the land for a short time, and upon the great prosperity of the State. Health and prosperity have signally blessed the State for the last four years. Those years have brought in the richest harvests that were ever garnered. Our vast State has grown more rapidly in population, wealth and prominence, from natural causes, than during any preceding corresponding period of time, and to-day the State is alive with stirring enterprises and well founded hopes of increased activity.

Our taxes for State purposes, and generally for local purposes, are light, and should become more so, if honesty and discretion are rightfully exercised. Under liberal laws enacted for all, in the line of progress, without regard to the prejudices of the past or present, and with a wise administration of public affairs, the State will continue to advance towards that eminent position among the sisterhood of States, for which it is so well adapted, and is so certain to attain, sooner or later.



The governing idea of this administration has been to preserve and protect the credit of this State. Subordinating, to a certain extent, all other administrative views in the accomplishment of that end, and holding "that the central pillar that upholds good government, in any country, must be a good financial system, honestly and economically administered."

#### STATE TREASURY.

The finances of the State have never been more judiciously managed than within the last four years, which is evidenced by the high credit of the State at the present time. No matured obligations of the State, excepting those of a class of bonds known as the Hannibal & St. Joseph bonds, of which I shall speak hereafter, remain unhonored: and, as said in my previous message, not a warrant of the State is outstanding. The Bank of Commerce of St. Louis continues to receive the public deposits of the State, it paying monthly the highest compensation on the average daily balances, as required by the statutes. No other bank in the State offers, nor has offered, as great a bonus for the money. The money deposited in that bank is so absolutely secured by United States and Missouri State bonds pledged as security, in excess of the deposits, that if the depository should meet with severe reverses the State would be subjected to no loss of money, and only delayed ten days in the collection of its deposits. The National Bank of Commerce, of New York, is the trustee in charge of the hypothecated bonds. Both of these banks have attended to the business of the State with promptness and great fidelity, at times being the channels through which millions of dollars have passed belonging to the State. The accompanying tables show the amounts of deposits monthly in the Bank of Commerce of St. Louis, how secured, and the interest paid monthly to the State on deposits:



	Cash in Vault.	Bank of Commerce.	Bonds held.	Interest rec'd on Deposits.
January 1, 1883	\$11,111 29	\$849,352 26	\$870,000 00	\$770.84
February "	22,714 49	1,574,415 39	1,674,000 00	957.34
March "	38,593 88	1,840,005 34	1,884,000 00	1,189.04
April "	85,156 23	1,974,566 09	1,894,000 00	971.76
May "	10,542 37	1,332,412 42	1,284,000 00	709.07
June "	12,244 93	833,791 09	840,000 00	373.27
July "	12,182 09	494,766 70	600,000 00	341.46
August "	9,914 31	588,810 67	600,000 00	416.31
September "	12,001 16	673,279 48	720,000 00	403.63
October "	12,874 33	680,423 95	720,000 00	405.64
November "	13,131 38	664,338 98	720,000 00	439.92
December "	10,468 59	788,180 31	840,000 00	535.86
January 1, 1884	11,312 00	1,001,016 32	988,000 00	844.17
February "	10,552 61	1,762,850 27	1,875,000 00	1,124.36
March "	9,753 17	2,053,654 23	2,200,000 00	1,243.01
April "	13,435 63	1,844,014 72	1,825,000 00	1,099.55
May "	16,281 85	1,728,420 12	1,700,000 00	1,062.62
June "	18,761 50	1,552,488 56	1,559,000 00	860.67
July "	11,294 48	1,242,500 57	1,254,500 00	721.77
August "	11,845 70	1,081,347 93	1,075,000 00	697.82
September "	11,509 37	1,092,711 09	1,135,000 00	668.41
October "	11,476 82	1,110,398 42	1,135,000 00	673.57
November "	11,213 56	1,084,735 50	1,135,000 00	676.98
December "	11,817 98	1,152,122 31	1,197,700 00	780.17
January 1, 1885	11,696 82	1,402,198 55	1,500,000 00	
Total amount of interest paid in 1883 and 1884.....				\$17,972.24

The interest received by the State upon its deposits since this administration came into power is \$52,633.37. This result shows the wisdom of the present law upon this subject.

I refer with pride, as a Missourian, and especially as the Executive, to the financial management of the State for the last four years, fully believing that it will compare favorably with any previous administration, and will firmly



anchor the State in the confidence of the business world. No step has been taken by the Treasurer or the Fund Commissioners which has not elevated the credit of the State, and given it a firmer hold upon the stock markets of the world. I call your attention to the accompanying letter from the cashier of the Bank of Commerce of New York.

This bank has been the fiscal agent of Missouri for a quarter of a century.

National Bank of Commerce, }  
New York, December 8, 1884. }

*Honorables, the Governor, State Auditor and Attorney General, Fund Commissioners, State of Missouri:*

Gentlemen—We have received with pleasure the letter of State Auditor Walker expressing the approval of the Fund Commissioners of the manner in which this bank has performed its duty, in the large transactions with the financial department of your State; and, while assuring you of our gratification at the thorough business methods which have characterized all the operations of the Fund Commissioners, we would take the opportunity to congratulate you upon the result of your administration as shown in the solid and satisfactory condition of the State's finances.

Yours very respectfully,

W. W. SHERMAN, Cashier.

Wise constitutional and legislative enactments and rigid honesty upon the part of the officers of the counties and State, have placed the credit of the State in the advanced rank of the foremost States. United States 4 per cent. bonds are now selling in the stock exchanges at 120-100, which price yields the investor 2 75-100 per cent. interest per annum.

Missouri 6 per cent. eleven year bonds, the longest bonds now outstanding, sell readily at 130, yielding the investor 3 per cent. per annum, showing a difference in the value of the two securities of only one-fourth of one per cent. per annum. These figures show the credit of the government to be on a 2 3-4 per cent. basis and Missouri on a 3 per cent. basis. The former bonds are non-taxable, those of this State are, which may account for the fractional difference. This high standing of the State is not the result of any one administration, of any one spasmodic effort,



but is the outgrowth of that regular and natural progress of growth, which will alone, in governmental, as well as individual affairs, "secure solidity and stability in structure."

#### REVENUE.

Having touched upon the Treasury Department, I now call your attention to those facts which can only be supplied from the Auditor's office. The following tables show the increase in valuation in real and personal property since the 10th of January, 1881, to January 1, 1884,—no assessment having been made in 1884. Under the law, assessments upon all taxable property, except merchandise, shall be made between the first days of June and January, and the valuation is placed upon it the first day of June. The taxes upon this assessment are collected the following fall—over a year after the assessment is made.

1881.	
Real estate.....	\$406,104,426 00
Personal property.....	163,265,359 00
Railroad companies.....	30,309,878 85
Bridges.....	1,695,000 00
Telegraph companies.....	348,219 90
Total.....	601,722,883 75
1882.	
Real estate.....	\$442,826,742 00
Personal property.....	170,813,976 00
Railroad companies.....	33,373,739 46
Telegraph companies.....	342,785 40
Bridges.....	1,910,000 00
Total.....	\$649,267,242 86

Aggregate statement of the assessed valuation of property for the taxes of 1883 and 1884:



	Valuation for taxes of 1883.	Valuation for taxes of 1884.
Assessed valuation of real estate..	\$443,144,455 00	\$496,730,663 00
"        "        " personal		
property	173,345,191 00	187,145,751 00
"        "        " railroad		
property	36,871,955 79	38,380,316 98
"        "        " bridge prop-		
erty.....	2,425,000 00	3,000,000 00
"        "        " telegraph		
property..	463,812 89	518,528 47
Aggregate assessments for taxes of 1883 and 1884.....	\$656,250,414 68	\$725,775,259 45

## PUBLIC DEBT STATEMENT.

BONDED DEBT JANUARY 1, 1883.

State bonds outstanding.....	\$13,947,000
School certificates of indebtedness.....	2,909,000
Certificate of indebtedness for seminary fund.....	122,000
Total debt January 1, 1883.....	\$16,978,000

In 1883 and 1884, State bonds were redeemed and purchased aggregating \$2,144,000.

During these two years the State interest-bearing debt was increased by reason of certificates having been issued to the School and Seminary Funds as follows:

For the State School Fund.....	\$22,000
For the benefit of the State University.....	387,000
	\$409,000

Deducting certificates issued from bonds redeemed and purchased, the actual reduction of the interest bearing debt



in 1883 and 1884 was \$1,735,000, leaving the debt January 1, 1885, as follows:

State bonds outstanding.....	\$11,803,000
School fund certificates.....	2,931,000
University certificates.....	509,000
Total interest-bearing debt January 1, 1885.....	\$15,243,000

The above statement includes bonds issued to the Hannibal & St. Joseph Railroad Company.

The annual interest on the public debt, as it existed January 1, 1883, amounted to \$1,018,680.

As it now exists, the annual interest amounts to \$910,-490.

The annual interest on the bonded debt, as it now exists, is \$708,180. On the certificates in the School and Seminary Funds the annual interest amounts to \$202,310.

These tables show an increase in valuation in 1882 over 1881 of \$47,544,369.11. In my former message to the legislature this language was used: "If the rate of increase in values is as great for 1883 as 1882, I think the valuation will exceed \$700,000,000." It exceeded my anticipation. It is \$725,775,259.45, an actual increase of 1883 over that of 1882 of \$76,508,016.59, an increase of \$122,052,385.70 in values for the years 1881, 1882, 1883. This rapid increase in values must soon secure a reduction of taxation, the desideratum of all good government. Under the constitution, the rate of State tax cannot exceed forty cents on the \$100 valuation. Section 8 of Article 10 of the Constitution reads as follows: "The State tax on property, exclusive of the tax necessary to pay the bonded debt of the State, shall not exceed twenty cents on the hundred dollars valuation; and whenever the taxable property of the State shall amount to \$900,000,000, the rate shall not exceed fifteen cents." If the large number of bonds, notes and other evidences of debt, now held in concealment within and without this State by its citizens, were honestly given



in to the assessors, that amount would be largely exceeded at the present time. If, in the wisdom of this legislature, the expenditures of the public money should be carefully guarded, and made only in the reduction of the existing State debt, in the preservation and enlargement of its various institutions of learning, and to carry on the necessary expenses of the State, then in my opinion we may begin to look to an early day, when the reduction of taxation may be had—I hope before the next general assessment of property is made, which will be in two years from this date.

## PUBLIC DEBT.

The public debt has been reduced during this administration as follows:

In 1881.....	\$252,000 00
In 1882.....	460,000 00
Total.....	\$712,000 00

If to this sum is added the \$250,000 renewal revenue bonds also paid in 1881, issued under the act of May 9, 1879, will make the aggregate reduction of \$962,000 of the liabilities of the State, within those two years.

This large sum of interest annually paid on the bonded debt of the State is a heavy draft on the energies and industries of our people, and should be reduced as rapidly as possible by the reduction of the debt. This can only be accomplished by severe economy in the appropriations of your respective bodies. I do not suggest parsimony, which, if carried to too great an extent, is as productive an evil as profligacy, but that judicious economy which is impressed with enlightened statesmanship and a proper conception of the destiny of our prosperous State.

Not having been supplied with the necessary data, I am not able to make a definite estimate of the amount of money necessary to be raised by taxation for carrying on the



State government for the years 1885 and 1886. I think the amount will approximate \$2,500,000, which will not materially differ from that of 1883 and 1884. The increased population of the State, with the necessarily increased demands upon its resources, may increase that sum a few thousand dollars.

The following table shows the receipts from all sources, with the disbursements, transfers and balances for the year ending December 31, 1884:

January 1, 1883.....	\$860,463 55
Receipts and transfers, 1883.....	4,604,717 26
Total.....	\$5,465,180 81
Disbursements and transfers, 1883.....	4,452,852 49
January 1, 1884, balance.....	\$1,012,328 32
Receipts and transfers, 1884.....	4,300,542 77
Total.....	5,312,871 09
Disbursements and transfers, 1884.....	3,898,975 72
Balance, January 1, 1885.....	\$1,413,895 37

The revenue laws of this State are not perfect by any means. It is especially defective in that part governing assessments. I think that office should be a salaried one, commanding better pay and better talent. I call the attention of this body to a letter of especial merit from Tandy H. Trice, collector of Buchanan county, in reference to the defective points in the revenue law. It is now in the hands of the State Auditor, and will be laid by him before the Committee on Ways and Means. An efficient revenue law is the source of much strength to the State; a bad one of corresponding and vexatious weakness. Since I have occupied the executive office, my official intercourse with the Auditor's office has been pleasant and instructive; finding the Auditor ready at all times to give me desired information and valuable aid in the interest of the State.



## FUNDING THE PUBLIC DEBT.

The bonded debt of the State now amounts to \$11,-803,000, and matures as follows:

1885.....	\$3,000
1886.....	2,129,000
1887.....	3,720,000
1888.....	3,937,000
1889.....	747,000
1890.....	220,000
1892.....	185,000
1894.....	743,000
1895.....	565,000
1896.....	543,000
1897.....	11,000
Total.....	\$11,803,000

Of this sum this General Assembly must provide for the payment or funding of the following portions which mature before the Thirty-Fourth General Assembly shall convene:

1885.....	\$3,000
1886.....	2,129,000
1887.....	3,720,000
Total.....	\$5,852,000

There will be in the treasury on the 1st day of January, 1885, \$1,413,895.37; of this sum \$1,200,000 can be safely used in a further reduction of the debt, leaving upon that calculation an existing debt of \$932,000 to be provided in 1885 and 1886. I think the incoming revenues during the year 1885 will meet that sum, leaving only the bonded debt maturing in 1887 to be provided for in some way. To be prepared for any emergency that may arise, I suggest that such legislation be had as will provide for the whole of the debt maturing in 1886 and 1887. If the revenues of 1885 are sufficient to defray the expenses of the State government



during the year, and a sufficient surplus be left to pay the sum maturing in 1886, then such legislation can do no harm. The State should be subjected to no hazards.

I think the State will have no difficulty in refunding that portion of its debt that matures in 1886-87 at a lower rate of interest than it is now paying, and the bonds will be readily sought at a premium. This is the tribute that the financial world pays to the "uniformly economical and careful administration of the affairs of the State."

No arbitrary prices can now be fixed by this body at which to fund the debt. It will be wise to leave it, to a large extent, to the discretion of the Fund Commissioners, only restricting the limit of the bond to twenty years, payable after five years, and not to bear a higher interest than four per cent. The terms and the conditions under which we are called upon to provide for these maturing bonds are quite favorable. Our debt has been rapidly reduced during the last ten years, while the revenues of the State are being constantly increased, and its capacities steadily developed. The organic law of the State places such an insurmountable safeguard around its debt and credit that no evasions can be made, by even the most adroit of its iron rules and sacred determination. These considerations place our bonds in high estimation upon the stock boards of our country.

#### SINKING FUND.

There was appropriated by the last General Assembly \$900,000 for the redemption and purchase of the bonds of the State. It is regretted that a larger sum had not been appropriated, as it could have been wisely used by the Fund Commissioners. As it is, a large sum was left idle in the treasury for many months, which could have been used for the redemption and purchase of interest-bearing bonds. Hereafter such errors should be avoided. If the money is not demanded in the interest of the State and for the special purpose for which appropriated, the mere act of appropriation will do no harm.



## HANNIBAL &amp; ST. JOSEPH RAILROAD CASE.

In my last message to the legislature the controversy between the State and the railroad was fully presented up to the status then reached in the litigation. I now continue its history: After the United States Court refused to enjoin me from selling the road and appurtenances for delinquent interest upon the matured coupons, the road, or certain trustees, paid that installment of interest, and then amended its bill in equity, praying the relief as asked for in a former bill, and in case that should be denied, asking the alternative relief of a repayment of the \$3,000,000. On the final hearing of this bill at Keokuk, Iowa, by Judge McCrary, an interlocutory decretal order was made, prescribing legal rules by which the amount due by the company to the State might be ascertained, and referring the whole matter to a Master in Chancery, Hon. John K. Cravens, of Kansas City, with directions to take an account thereof and report the same to the court.

A great deal of testimony was taken on the subject of the accounting between the State and the railroad, and the matter was thoroughly argued twice before the finding of the Master, after which the Master prepared his report showing the balance due the State on said accounting, January 1, 1883, to be \$549,083.58. On the 1st day of February, 1883, the Master having notified the parties that the draft of his report was ready for examination, the parties appeared and the solicitors for the complainants asked that they be permitted to introduce as evidence the report of the State Auditor to the Thirty-second General Assembly of the State of Missouri as newly discovered evidence, which was permitted against our objections. The complainant's counsel filed many objections to the report, which were thoroughly argued by both sides. The objections were overruled, and the Master, on the 15th day of March, signed his report, showing that the State was entitled, on January 1, 1883, to \$549,083.58, with interest. The finding of the Master was a substantial victory for the State.



Exceptions to this report were filed in court by counsel, both for the State and the complainant, which exceptions were, on April 25, 1883, argued before Judges Krekel and McCrary, in Jefferson City, by Attorney-General McIntyre, Hon. John B. Henderson and George H. Shields, for the State, and by Judge Dillon, Mr. Root and Mr. Easley, for the complainant. This argument was exhaustive, going over the entire case and resulted in a modified final decree for the State, and finding that the State was entitled to receive from the Hannibal & St. Joseph Railroad Company on May 11, 1883, \$476,049.27, with interest at the rate of three per cent. per annum till paid. Both parties took appeals from the judgment to the United States Supreme Court. The United States Circuit Court, on September 16, 1882, in its interlocutory order, had enjoined the sale of the railroad by the Governor until the final judgment in the case upon the further payment of \$90,000 on or before October 4, 1882, into the State Treasury, which was paid October 3, 1882.

It will thus be seen that in addition to the \$3,090,000 originally paid by the railroad company to the State, and which was claimed by the railroad to be all that was due to the State on account of the Hannibal and St. Joseph Railroad Aid Bonds, that the litigation has so far resulted in a judgment in favor of the State for \$566,049.27 more, \$90,000 of which has already been paid into the State Treasury, and for the balance of which, to wit, \$476,049.27, the State has a lien upon the property of the railroad company if the judgment of the United States Circuit Court should be affirmed by the Supreme Court of the United States. In the ordinary course of business this case will probably be reached in the United States Supreme Court some time in 1886 or 1887, but it is hoped that the case may be advanced and heard some time during the year 1885.

The last Legislature appropriated \$10,000 to pay, as a retainer or partial pay, the employed counsel of the State, Glover & Shepley and Henderson & Shields. With pro-



found regret I announce that Messrs. Glover & Shepley have both died since the case was last argued and decided at Jefferson City.

Mr. Glover performed the labor of the firm in this case, and did it with singular earnestness and ability, commanding the respect of both the court and his associate counsel, in the management of this great cause. Henderson & Shields are still retained by the State in the controversy. I suggest that the Legislature make another appropriation to compensate the counsel for their services in the case up to its final determination in the Supreme Court of the United States. It is confidently believed that the judgment of the United States Circuit Court will be affirmed by the Supreme Court, or that if a modification of the judgment is made, that it will be in favor of the State, in allowing a still greater sum.

As D. H. McIntyre will soon retire from the office of Attorney-General, I suggest that the Legislature make a sufficient appropriation to continue him in this important case. Having been one of the Fund Commissioners of the State from the inception of the controversy, and the leading law officer in the management of the litigation in behalf of the State, and having served the State in this behalf with unswerving fidelity and marked ability, he is necessarily more thoroughly acquainted with the intricacies and salient points involved in the litigation than it is possible for his successor to become in the short time intervening between this and the hearing of the case by the Supreme Court.

The State could make no wiser investment of its money. The increased premium upon the United States bonds purchased with the \$3,000,000 paid by the trustees of the Hannibal & St. Joe R. R. Co., has been more than sufficient to defray the expenses of litigation upon the part of the State. My official connection with this important case being now severed, I sincerely trust the State will suffer no harm in its final determination.

I recommend that the State take steps at once towards the payment of the over-due coupons on the Hannibal &



St. Joe bonds, and the payment of interest on the same at such a percentage as may seem wise to the Legislature. I think the State has arrived at that stage in the controversy, when it is no longer just and honorable to delay the recognition of those demands. Such an act will uphold the credit of the State. The issue between the State and the road cannot be affected by their adjustment. This suggestion is made with the sanction of the other Fund Commissioners and the State Treasurer.

#### RAILROADS.

Missouri is keeping pace with her sister States in the construction of railroads. It is yet one of the "new states," which has offered and is still offering inviting fields for such enterprises. Nothing has done more towards developing the State and bringing it into public admiration than the various lines of railroad penetrating the different sections of the state. Many look upon a railroad with distrust and aversion, almost placing it in the catalogue of public robbers. Strange as it may appear, this opinion is formed after having sought its construction and even after having voted county subsidies to further the project. A railroad is built and run for two purposes: to make money for its owners and to accommodate the people. They are not built as playthings for the boys nor as subjects of demagoguery for the average politician. It has been well said that in conducting the business of a railroad it is well nigh impossible to suit every community and every individual. The trouble is, each community and individual wants the railroad operated for his or its special convenience. Of course it is impossible to do this. Then what should be done? How should these great enterprises be managed? To what extent should Congress or the States undertake to govern them? These are no idle questions. To-day the answer to them is puzzling professional railroad men and statesmen of the deepest thought. It is impossible for the legislator of one day, of one session, or even of one year, to comprehend these great



questions and evolve from them relief to both the roads and the people. I believe the created is always subject to the creator; that at no time can it infringe upon popular rights, disregard the inherent power of the people of the State—that of self-defense—which can never be legislated away nor surrendered; which principle has been clearly enunciated by the Supreme Court of the United States in what is known as the Granger cases. It is one thing to have such rights reserved and sustained by judicial decisions, and another of equal importance to exercise those rights. If there is an evil in the growth and assumed power of great corporations, there is an equal evil in oppressive and empirical legislation. Recurring to the first question, how to manage these great enterprises, common sense suggests but one leading answer, to wit: in such a way as for them to accommodate the greatest number at the lowest reasonable rates; and, upon the other hand, for that number to give the same consideration to the capital invested in them as if it were invested in houses, lands and merchandise, and not seek to destroy it by unjust legislation and the decisions of partisan courts. Railroads are entitled to the same rights and protection as other property—no more, no less, and no one should complain at such a law and such decisions. If the law is wrong, then, as Gov. Sherman says, amend it, for there should be no distinctions among the people. If not wrong, let us cease from inveighing against the roads, and resolutely work for the interests of the people, for the interests of the State and the interests of the roads. The second question is, to what extent should Congress or the States undertake to govern them? I answer, by as little legislation as possible, and that upon vital points. Railroad managers and the people are not necessarily in antagonism to each other. Wherever a railroad goes we see additional value given to the land and a new value given to the products of the land. Transportation is one process of manipulation which transforms the products of the wheat fields into bread, life and happiness for the hungry thousands elsewhere. Let us not forget this important fact, and we



will find our opposition to railroads gradually diminishing. As said by a thoughtful writer: "Gradually the railroad managers have reached a better understanding of the fact that the prosperity of their corporations and the growth of their properties were indissolubly linked with the growth and prosperity of the community from which they must derive all their business. This view is clearest among those managers who have control of the most diversified interests, among those whose lines stretch through different States and supply different communities."

Railroads are common carriers and are entitled to receive a just compensation for their labor. What is just compensation to one road would not be to another. No Congress, no Legislature, can prescribe, by its own acts, nor by or through a Board of Commissioners, an inflexible rule or rate of fares and freight applicable, at all times, and to all railroads, which would not build up one road and at the same time destroy another. Many causes forbid such an iron rule. Commercial depressions, bad harvests, meteorological emergencies, manifold reasons beyond the power of human control or foresight, may, in a few months, reduce the demand for transportation to the minimum, where the tariff which yielded a fair profit, when there was more freight to be moved, would not yield any profit at all under those adverse circumstances. Legislators might as wisely undertake to fix the price of corn for the farmers for a series of seasons or years. The minimum rate one season might be more than the maximum the following season. Business and competition are the true regulating forces in transportation, more potential than legislative acts, and more wisely applicable to all conditions. No fixed rule can be adopted in regard to freight and passenger rates. As a rule, the rates of to-day are less than the rates of one year ago. As science and skill in railroad business secure lower rates of operating expenses, so they at the same time secure lower rates in freight and passenger transportation. The rates in existence in Missouri ten years ago would be considered



inequitable at the present time, by the managers of the roads, and would not be submitted to by the people. To show you what progress has been made in such reductions, I append a table relating to the business of the main line of the Pennsylvania Central Railroad. This presents a comparative idea of such reductions on all the lines.

There are very few persons who have any conception of the rapidity with which the rates of transportation have been reduced in this country since the close of the late civil war. The following table, confined to the business of the main line of the Pennsylvania Railroad between Philadelphia and Pittsburg, gives some information on this subject, and the figures are authentic. It shows, for each year since 1865, the number of tons of freight moved one mile, the rates per ton per mile, and the amount of reduction in any given year, computed on the difference between the rate in that year and the rate charged in 1865:

Years.	Total tons, one mile.	Average rate per ton per mile.	Amount of reduction each year, computed on rate of 1865.
1865.....	420,060,260	2.665	.....
1866.....	513,102,181	2.282	\$1,965,181.35
1867.....	565,657,813	2.092	3,241,219.27
1868.....	675,775,560	1.906	5,129,136.50
1869.....	752,711,312	1.718	7,128,176.12
1870.....	825,979,692	1.549	9,217,933.38
1871.....	1,011,892,207	1.389	12,911,744.56
1872.....	1,190,144,036	1.416	14,864,899.01
1873.....	1,384,831,970	1.416	17,296,551.31
1874.....	1,372,566,976	1.255	19,353,194.36
1875.....	1,479,414,466	1.058	23,774,190.47
1876.....	1,629,742,021	0.892	28,895,326.03
1877.....	1,494,798,198	0.980	25,187,349.64
1878.....	1,732,003,131	0.918	30,258,094.70
1879.....	2,136,708,887	0.796	39,935,088.91
1880.....	2,298,317,323	0.880	41,024,964.22



Years.	Total tons, one mile.	Average rate per ton per mile.	Amount of reduction each year, computed on rate of 1865.
1881.....	2,655,438,764	0.799	\$49,550,487.34
1882.....	2,879,542,701	0.817	53,213,949.11
Total reduction for 17 years.....	.....	.....	\$382,947,486.26

From the above statement it will be seen that in the year 1882 the average charge for carrying freight over the Pennsylvania road has been brought down to less than one per cent. per mile, while the reduction in cost of carriage as compared with the rates charged in 1865 was over \$50,000,000! The whole saving in seventeen years on this single line to the producers, whose commodities have been transported back and forth, in consequence of the yearly reduction of rates, has been the enormous sum of \$382,947,486. The greatest stickler for cheap transportation or the most ardent advocate of anti-discrimination, if he had been allowed in 1865 to mark down the price of transportation to suit his fancy, would not have ventured to reduce it \$1,000,000 per year. But the railroad company, impelled by no other consideration than the natural laws which govern all trade and traffic, has reduced the comparative cost of transportation on its main line for the last seventeen years at an average rate of over \$20,000,000 per year. The vast reduction can be looked at in no other light than a saving to the pockets of the people of this country. The cost of transportation is an element in the cost of all production. In proportion as transportation is cheapened, the producer and the consumer are both benefited. A very large share of the benefit arising from the reduced rates on the Pennsylvania Railroad has gone into the pockets of the people of Pennsylvania. It is a question which legislatures



should very narrowly consider when they undertake to make new rules for regulating a business of such vast proportions. If they confine themselves to enacting laws which compel transportation companies to make like charges for like service rendered, they have gone as far as it is possible to go in legislating laws against freight discriminations without working great injury. It is to the interest of everybody that the railroad companies should remain as they now are, masters of the rates of transportation. They cannot do business without discrimination. Uniform rates, if they could be established, would put an end to the business of every trunk line in the country in thirty days by breaking up the system of through freights. The people cannot afford any such folly.

I also call your attention to other tables on through freights:

## MICHIGAN.

	Rate per ton per mile.
1874.....	1.32 cents
1875.....	1.20 "
1876.....	0.982 "
1877.....	1.332 "
1878.....	1.053 "
1879.....	0.92 "
1880.....	0.86 "
1881.....	0.92 "
1882.....	0.97 "



## ILLINOIS.

	Rate per ton per mile.
1880.....	1.38 cents
1881.....	1.20 "
1882.....	1.26 "
1883.....	1.09 "

## MISSOURI.

Average rate per ton per mile, (all freights, local and through,) in Missouri, 1878.....	1.98 cents
Average rate per ton per mile, (all freights, local and through,) in Missouri, 1883.....	1.40 "
Average rate per mile, passenger fares, (local and through,) in Missouri, 1878.....	3.56 "
Average rate per mile, passenger fares, (local and through,) in Missouri, 1883.....	2.89 "

Could one desire a clearer demonstration of the futility of legislation and the all but omnipotent power of competition? Competition is a subtle, unseen power that works silently but remorselessly in bringing down rates, as the river brings down the banks by constantly sweeping against them. It is not simply competition between lines, but the mightier competition between city and city, section and section, commodity and commodity, which strikes irresistibly against legislative enactments and pool dictation and overwhelms them. It is working in the interests of the people at large, here a little, there a little, but working out good alike for the roads and the people, and will only produce disaster when legislative bodies and transportation managers combine to throttle, for neither can do it alone.

The reduction of passenger and freight rates in Missouri since the war, from natural causes, has been in the same ratio as in Illinois and Michigan. There have been



two reductions made by the roads in obedience to legislative demands; the first in 1865; the second in 1879. The rates fixed by the roads in 1865, were based on the inflated values then existing, but these were soon changed in conformity to public sentiment. Five years ago the Legislature fixed the maximum rate of charges in freight and passengers, and the roads at once submitted. When the law was passed in 1879, the rates were held to be firm and just, and nothing has happened since then to justify any one in saying those rates are now too high. I think the law should be so amended as to give the Commissioners power to enforce uniform passenger rates over all the lines of roads in the State. That rate should not be in excess of three cents per mile. Only a few roads now charge over that rate, and some of those will conform to that rate after the 1st of January, 1885.

Discriminations will take place in the management of railways, as in the management of any other class of business. The inflexible rule should be that the same service shall always be rendered for the same compensation for all alike; but to establish, or seek to establish, a rate that no more should be charged per mile for a short distance than for long distances is against both common sense and the experience in life of every transaction in business. The purchaser of a hundred hogsheads of sugar is ever given more favorable rates than the purchaser of a pound, a barrel or a single hogshead. Competition, as before said, is the solution of the difficulty, and is the all controlling force in modern commerce, and we should do nothing, and we should allow the roads to do nothing which would hamper, interfere with or obstruct it.

I think the Commissioners have it in their power to accomplish more with the managers of the roads in a quiet and less expensive way, in the interest of the patrons of the roads, than can be done by legislative action. It is in duty bound to study the railroad question in every aspect, and supervise its management so as to harmonize and protect the interests of the roads and the shippers alike. As Gov.



Cullom well said: "This work is of such a nature that it can never have a perfect and final accomplishment. The changing conditions of trade, the development of new industries and teachings of experience and observation, will furnish grounds for their revision, which must be made with full recognition of the rights and interests of all parties concerned."

Possibly Georgia has one of the best compilations of railroad laws in the United States, giving satisfaction to the roads and the people. Gov. McDaniel says, in his last message:

"Rightly administered, the important powers vested in the Commission should result in benefit to the railroads and to the public. There can be no real conflict of interest. The public is entitled to prompt and efficient railway service for the accommodation of travel and traffic, for which the railroads are entitled to sufficient compensation to cover operating expenses, the cost of maintenance, improvement and renewal of the property, and in addition, a fair average return for the value of the investment and the risk incurred. The office of the Commission is to determine, in case of dispute between shippers and railway managers, what is just and reasonable compensation."

If necessary, invest the Commission with more power. Twenty-one States now have Commissions. By such means, a vast flood of light has been shed upon the subject, to the advantage of all parties concerned. I think our railroad laws are sufficiently explicit in most of the essential points, and only minor amendments are required.

While giving the Commissioners power to adjust the difficulties between the people and the roads, the legislature should be careful not to make them managers of the roads. There can be, with safety, but one federal head in the management of such essentially dangerous and complex bodies. Restraints on roads are important; so are restraints on commissions. The safe board of to-day may become the ambitious and grasping one of to-morrow: "Create an office, it matters not how important its functions at the beginning, they will gradually be increased." Every step opens the way to further their aggrandizement. The growth of Missouri in railroad interests and the prospects



of so continued growth within the next year, under our liberal laws, is gratifying indeed, as every mile of road adds increased wealth and increased population.

In my last message I said: "If the same wisdom characterizes the legislation of this State in the future, as in the past, we may reasonably expect larger investments in railroad construction, and the erection of thousands of homes upon our idle acres."

Since the first day of May, 1883, there have been constructed 236 miles of railroad in this State, 113 miles in 1883 and 123 miles in 1884, built in or through the counties of Chariton, Carroll, Cape Girardeau, Greene, Henry, Howell, Polk, Stoddard and Wayne, making 4,738 miles of railroad now in operation in Missouri.

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The gross earnings of the roads for 1883.....	\$28,754,334.96
Gross earnings of roads for 1884, (Estimated).....	29,000,000.00
Gross earnings per mile for 1883.....	6,343.00
Gross earnings per mile for 1884, (Estimated).....	6,131.00
Total stock chargeable to number of miles up to Jan. 1, 1885.....	117,766,238.00
Being equal to, per mile.....	26,429.00
Total bonded debt Jan. 1, 1885.....	106,958,557.00
Equal to, per mile.....	24,106.00

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It will be observed that there has been a small decrease of the earnings per mile in 1884 over that of 1883, attributable to two facts: an increased mileage and a slight decrease in tonnage, owing to decreased values. The earnings per mile of the roads in the last ten years have materially increased, owing to the rapid growth of the State, and the greater skill in operating the roads. I doubt if any State has a superior class of railroad managers to those of Missouri. They are ever ready to treat citizen and patron with that courtesy due them, and to right every wrong as far as reasonable. The following fifteen counties are without railroad accommodations: Carter, Cedar, Dallas, Douglas, Hickory, McDonald, Maries, Ozark, Perry, Pemiscot, Reynolds, Ste. Genevieve, Shannon, Stone and Taney.



That number, I am informed, will be reduced to ten within the next year, and it is now reasonably supposed that 400 miles of new road will be constructed during that year. This will add millions of dollars to the wealth of the State, and should forbid oppressive and illiberal legislation. Just laws will be of much more benefit to the State than ill-considered ones, which but add confusion to the many vexed questions already disturbing the people and the roads.

I am still of the opinion, as expressed in my last message, that the depots and surrounding grounds, as far as practicable, should be improved and beautified, especially along the main lines of the trunk roads. They are not now in keeping with the wealth, tracks and machinery of the roads. A few thousand dollars so expended would add much to the popularity of the roads and the honor of the State. All things being equal, the traveling public will patronize those roads exhibiting that degree of pride and desire to gratify the public taste. Such small expenditures contribute much to relieve the tedium of traveling. The depots in this State, as a general thing, are wanting, not only in architectural beauty, but also, to a large extent, in the ordinary comforts that should be found in such places, many being, in fact, repulsive to the least cultured and the least refined of society, and often the resorts, during the arrival and departure of trains, of vulgar and insolent loafers. The managers of the roads and the town officials should break up such nuisances. The commissioners should condemn the obnoxious and inhospitable depots, calling upon the managers of the roads to supply more acceptable ones without delay. It is clearly within the line of duty of the commissioners as specified in section 13 of the act creating said board, approved March 29th, 1875. With these views as above expressed, whatever legislation, in your assembled wisdom, you may deem wise to enact, I trust the great rule of equity shall govern, so that while the individual interests of the citizen are guarded, those of the corporations themselves shall not be unjustly dealt with.



## STATE CLAIMS.

Under an act of the Legislature, approved March 19th, 1881, Hon. John T. Heard was appointed by the Fund Commissioners as agent in behalf of the State, to prosecute to final settlement before Congress and the proper departments at Washington, certain claims of the State against the federal government, enumerated in section 1 of said act. He at once entered upon the discharge of his duties, and recovered from the government the sum of \$234,594.10, which amount, less his commission, was deposited in the State treasury on the 14th day of August, 1882. Since the collection of this sum of money, Mr. Heard commenced prosecuting with great activity the following character of claims, in which Missouri and its citizens are largely interested: claims under an act of the Legislature, of March 22, 1883; individual claims against the government; interest claims of Missouri against the government; direct tax claims in favor of Missouri against the government; which claims, in the aggregate, involve over one million of dollars. Since the commencement of this important work Mr. Heard has been elected a member of the next Congress of the United States from the sixth district of Missouri, and has consequently resigned as State agent, and Hon. John R. Walker, of Cooper county, has been appointed in his stead. Mr. Heard having submitted to the Fund Commissioners a satisfactory account of the work performed and of that to be performed in the future by his successor, I respectfully ask that his report be printed for the information of the General Assembly.

## PENITENTIARY.

There are few subjects, if any, which will engage your attention that are of greater practical importance than the management of the penitentiary, and there is none so misunderstood, from ignorance or from some designing cause. It is an institution so prominent in a State administration,



that if unwisely and corruptly managed, the world would know it at a glance, as it is a "city set on a hill, which cannot be hid."

The penitentiary is in excellent condition at the present time. It has been successfully managed during this administration, not costing the State a dollar in its running expenses, except in the pay of its civil list.

From an examination of its books I find that the earnings and receipts for the years 1883 and 1884 (December, 1884, estimated) to be \$266,897.82, and there has been expended for maintenance during those years (December, 1884, estimated) \$238,486.10, leaving \$28,411.72 upon the credit side of the prison, which has been expended as follows:

Pay-roll of officers and employes, October and November, 1884.....	\$8,368.42
Permanent improvements, materials, etc., for new buildings.....	18,543.30
For fuel in excess of amount on hand, December 31, 1882...	1,000.00
Real estate for rock quarry use.....	500.00
Total.....	\$28,411.72

Which is the excess of earnings as above given. The last Legislature appropriated \$155,000 to replace certain buildings or workshops which were destroyed by fire February 23, 1883, and to extend the walls of the penitentiary and to do certain other specific work, detailed in the bill. These demands exhausted the appropriation before the work was completed. Under the direction of the Prison Inspectors the Warden expended, as before stated, \$18,543.30 for materials purchased and used in the construction of the buildings and wall. In addition to this sum, the Warden expended \$14,000 for brick, rock, labor, etc., for which he should receive credit, as the brick, rock and labor represent a value equal to that amount of money. If no credit is given the penitentiary for the excess of earnings over that of maintenance, \$28,411.72, and the \$14,000 for brick, rock



and labor, as above stated, then there will be an outstanding indebtedness of \$3,750 against the prison, but if credit is given for those amounts, which should be done, then there is a surplus of \$40,000 in favor of the prison, which surplus accrued during the year 1884, which shows that the institution, with its rapidly increasing numbers of inexperienced laborers, has been managed with singular foresight and judgment, commanding the respect of all the business men who have investigated or had means of knowledge as to how this prison has been managed during this administration.

The new buildings have been fully completed and are pronounced equal if not superior to those erected in any of the States for shop purposes. They are commodious, fire-proof and well ventilated, and specially well adapted to the uses to which they have been assigned. The walls of the prison should be completed as soon as practicable. If the prison is not divided, more ground should be taken into the enclosure, which may necessitate the removal of the Warden's residence and the erection of a new one elsewhere.

The following tables show the number of prisoners confined in the penitentiary during the years 1883-4:

Total number prisoners remaining on hand December 31, 1882.....	1,348
Total number prisoners received in 1883.....	590
Total number prisoners received in 1884.....	680
	<hr/>
	2,618
Total number prisoners discharged 1883.....	525
Total number prisoners discharged 1884.....	555
	<hr/>
	1,080
	<hr/>
On hand December 31, 1884.....	1,538

December is estimated in the above statement:

In 1881 the daily average was 1,205; in 1882 the daily average was 1,318, showing an increase of 113 in 1882 over



1881; 125 in 1883 over 1882, and 95 more in 1884 than 1883. These figures show that with an increase of population there has been a corresponding increase of crime and an increase of convictions. It is now a settled fact in Missouri that the laws will be enforced; wrongdoers of all classes will be punished and all classes of honest and industrious people will be protected from personal or property disturbance.

The cost per capita for maintenance for 1883-4..	22 8-10ths of a cent
Guarding.....	8 7-10ths of a cent
Total cost per capita.....	31 1-2 cents.

Which is 1 19-30 less than the cost of maintenance and guarding in 1881-2.

This is a lower rate than prevails in any other State. The *Missouri Republican* used this language after the report of the Legislative Committee on the penitentiary in 1881-2, which is more applicable now than then, as the prison is more economically managed now than then:

"This settles the matter and shows to the people of Missouri what they had good reasons for believing before, that their State prison is in the hands of honest and capable officers, and is one of the most economically and efficiently managed institutions of the kind in the country. Indeed, it is a part of a general State administration which challenges respect both at home and abroad."

The health of the prison is excellent. The death rate is small. No epidemic has existed within its walls for years.

Deaths in 1881 (in a total of 1,205 prisoners) 22, being 1 8-10 per cent.

Deaths in 1882, in a total of 1,308 prisoners, were 18, being 1 2-5 per cent.

In 1883 there were 20 deaths in a daily attendance of 1,382, being 1 309-691 per cent.

In 1884, there were 23 deaths in a daily attendance of 1,476 prisoners, being 1 206-369 per cent. It is doubtful if any prison can present a more striking table than the above.



## BRANCH PENITENTIARY.

This legislature should maturely consider the question of building a branch penitentiary, upon a railroad, near some prosperous business town or city. There are too many prisoners in this prison for safety and health. It contains now the largest number of prisoners of any penitentiary in the United States, excepting Sing Sing, New York. A committee should be appointed to investigate the necessities for such a branch prison, and to ascertain the most eligible point for it. Or that duty should be imposed upon the Prison Inspectors.

## PARDONS.

I have exercised the pardoning power as often as I have thought it wise and prudent, taking care not to abuse the confidence of the State, nor, by its illiberal use, have a wrong done the citizen. Those pardoned, with few exceptions, have at once engaged in honest industry and are making law-abiding citizens. The Executive should never hesitate in the exercise of this power, when he is satisfied that a wrong has been done the convict by an oppressive sentence, by perjury of interested witnesses or the rash actions of an excited jury or court. The public often censures the Governor for granting pardons when it is least advised, as to the real facts connected with the case. He knows, or should know, those facts much more intimately than the public. In every instance he has all the facts before him; the impelling motive of the prosecution, a knowledge of the acts of the court, jury and witnesses, and often has evidence that a conviction was had on suborned testimony, or facts that justify the belief that an excessive punishment has been inflicted, which does an injury alike to the man and the State, and many other minor reasons of which the public can know nothing. Such unjust criticisms often do violence to the truth, violence to justice and violence to society. It is better that ninety and nine guilty persons should escape than one innocent should be wrongly or



unduly punished. Nothing hastens a man's steps towards crime more rapidly than the belief that he has been wrongly convicted and harshly sentenced. In the forum of his own conscience he stands the accuser of society for the wrong inflicted upon him. From being the sinner, he has become sinned against, and he starts out upon a new and real career of crime, feeling the glow of moral sanction as he resolves afresh to perpetuate his war on society. Such feeling is rational. It is one of the infirmities of fallen nature, and it will be hard to reform the criminal when he feels, and has such just cause to feel, that he is himself the subject of a greater wrong at the hands of society, than he ever inflicted upon it. The pardoning power is vested in the Executive to meet such cases, by the law makers, thinking it wiser to save a man than to have him an unjustly condemned criminal for life, with no chance to retrieve his shadowed reputation and rebuild his prostrate character. In addition to the errors of trial and conviction, the Executive discovers traces of manhood still left in the criminal, and is impelled to save him to a more honorable walk in life, and would more often succeed if society would aid in his reclamation, by a kind word and a helping hand, and not further seek to burn the stripes of his garb into his body and memory, by cheerless indifference. I pardoned, within the first two years of this administration, 62 persons and 73 from the meeting of the last General Assembly up to January 1, 1885. These were generally those who do not belong, in the full sense of the word, to the criminal class; they are largely those convicted of murder in the second degree. Such persons are often the victims of misfortune rather than criminals, who, under the influence of sudden passion, being assaulted or in a heated personal encounter, killed their fellow man, and in whose hearts no vindictive, no malicious, no criminal feeling had existed prior to the act, but who were driven to it by a mischance that may befall any man in society. The law declares them guilty of crime and condemns them to punishment. But are such not worthy of consideration? Should a pardon never reach them? Were those upon



whom the Tower of Siloam fell much worse sinners than many who exulted over the fall? The law in such cases needs no vindication. It inflicts the punishment as a measure of discipline for those upon whom it falls, and a warning to others to keep their passions under control and resist evil. Upon consultation with the Warden and prison officers, I have pardoned two prisoners on each recurring 4th of July and Christmas day. They have uniformly been prisoners of long sentences, who have conducted themselves well in prison, generally one of each color, and in most instances those who have had no friends to intercede in their behalf. Those holidays have been looked to with more than ordinary interest by the prisoners, as no one of them knew upon whom the favor would fall until called to receive the pardon.

The custom has worked well, and has had a salutary effect. In no instance has one of those pardoned misbehaved in society. They are impressed with the idea that the same conduct that secured the pardon will secure success in the ordinary walks of life. I now think it would be wiser to grant conditional rather than full pardons to those receiving this grace of the State. This grows out of two facts: First, the discharged convict is aware that he still remains under the supervision of the State, and that the State trusts him on condition that he makes a law-abiding citizen; second, he is also aware of the fact that if he violates that condition of the pardon, he will be tried and reincarcerated for the balance of the original sentence. Under such a pardon, he is the subject of one of those two impulses which are to be found in every man: pride and fear, and which govern every man either in one or the other direction. There are quite a number of old, enfeebled and broken-down men in the hospital of the penitentiary who have been there, if not since they entered upon their sentences, at least the greater part of the time. Those men are a burden to the State, and should be discharged, provided relations or friends will take them. I suggest that the joint committee of the Senate and House on the penitentiary, recom-



mend their pardon. This will bear the semblance of a legislative act and relieve the Governor from all unjust criticism. I also suggest that this body should relieve or provide in some way for several insane convicts whose terms of sentence have expired. There is no reason why they should be thus forced on to that institution when their presence and conduct have such a deleterious influence on those associated with them in the hospital. They should be removed as a matter of humanity from the hospital, and from a sense of duty to the State.

#### REFORM SCHOOL.

Missouri has attained that wealth, population and prominence when it can no longer, with any degree of self or national respect, delay the erection of a reformatory school. Such a school would save from a life of crime many youths who, from vicious instincts, or depraved reading and associations, become confirmed and costly criminals. If those were taken "in the days of their youth," their hearts and brains could be so trained as to abhor crime. Nothing is so costly to the State as jails and penitentiaries. If the State is the guardian of its children, it should be prepared to take charge of the little waifs of society, "the flotsam and jetsam on the wild sea of life before the evil days draw nigh when they become hardened criminals."

The *St. Joseph Gazette* well says upon this subject:

"One of the main purposes of punishment is reform. But what a blot upon our civilization, a sad commentary upon our so-called enlightened methods of dealing with crime, is thus revealed by the records of just one of a thousand criminal courts! Clearly the present methods of dealing with crime are a colossal failure so far as their reformatory influences are concerned. Something is wrong and must be corrected. Here reform begins, and this reform, this gradual leading of a young heart from a channel of viciousness to one of right and honor, is not to be accomplished by hardened criminals, nor can it be done in a day, or a week. It is the work of men and women who have made it a life pursuit. It is a work which belongs to a school established purely for the purpose of reforming boys and girls, around whose lives baleful influences have been thrown, but who, if properly treated, can be developed into honorable and useful members of society. Christianity and civilization and humanity demand such an institution in Missouri to-day."



Experience teaches that there are fewer convictions for felony where Reform Schools exist, as there are fewer violations of law.

The Legislature should give serious thought to the importance of such a school. All the progressive States of our land have such schools. Here, too, Missouri must keep pace with them.

#### INSANE CRIMINALS.

The attention of the Legislature is earnestly called to the existing condition of the law in relation to the treatment of persons acquitted of criminal offences on the ground of insanity. Such persons are at present turned loose upon society, where the same cause may produce the same unfortunate results. It is recommended that a law be enacted to the effect that whenever there is an acquittal on the ground of insanity, a verdict to such effect shall be returned by the jury, and thereupon the accused shall be remanded by the court to some public asylum for the insane, there to be retained in custody until pronounced cured by competent medical authority.

It is submitted that under such a law the interests both of society and of the individual will be better subserved than is now the case. It too often happens, as the records of our courts will show, that with the alternative of a verdict of murder in the first degree or of one of acquittal, a jury is apt, according to the prejudices prevalent in a community, to be readily swayed either by sympathy with the accused and a doubt as to his true mental condition or by too stern a disposition to avenge the outraged law. In the one case a guilty person goes wholly unpunished because the jury deems capital punishment too severe a penalty. In the other, it may and does happen that one who is merely the victim of disease, and in no sense criminal, is condemned to an ignominious death.

From the experience of other countries where such a law as the one proposed is in force, it is confidently to be ex-



pected that the plea of insanity will be much more rarely invoked, when, if successful, it may consign the accused to a life-long imprisonment, and juries will be less likely to inflict unmerited punishment, when they are satisfied that the public may be protected by milder measures.

There is no branch of the criminal law in a more unsatisfactory state than that relating to the plea of insanity. Cases of homicide are constantly before our courts in the trial of which the sciences of law and medicine appear in irrepressible conflict. The lawyers charge the doctors with "a sentimental indulgence for crime," and these retaliate with a charge of "inhumanity towards the defects of human nature."

Juries, in consequence, confused with a discord where all should be harmony, render verdicts which are irreconcilable with true principles of either science. The proposed legislation, it may be hoped, would do much towards curing this evil. The dispute between lawyers and doctors would cease to be of practical importance. The penalty of death would be inflicted only in clear cases. Society would be amply protected by incarcerating the insane criminal for life or until a permanent cure was effected.

In the light of several tragedies during recent years in the penitentiary, it is clear that this is not the place for insane criminals, while these sad events would seem equally to prove that its walls not infrequently contain those who are not otherwise guilty of crime than through the irresistible dictates of a diseased brain. I urge upon this Legislature the importance of building a criminal insane asylum within the walls of the penitentiary for the double purpose of protecting the sane from the deadly attacks of the insane criminal, and affording some intelligent means of restoration to reason of those so unfortunate as to lose their reason while in prison.

#### DOWNING LAW.

I suggest that this law should either be repealed or so amended as to make it applicable in its provisions to every



part of the State alike. This law has been, in part, made inoperative in the city of St. Louis by the presumed existence and operation of the act of 1857. I am inclined to that view, but, as it was so declared by a court of adequate jurisdiction, the civil authorities of that city acquiesced in the ruling. I suggest that the act of 1857 be repealed, thus leaving the Downing law in unquestioned operation over the whole State. As a police law, I think the Downing law has already accomplished much good, and can be made much more effective, with certain amendments. No law should remain a dead letter upon the statute books. If a good one, it should be enforced; if a bad one, it should be repealed. In 1880 there were 3,042 licensed dramshops, 127 wine and beer saloons and 90 drug stores retailing liquor under the then existing license. The State license, together with the advalorem tax on the liquor sold by the saloons, amounted to \$157,916, and county license and tax to \$296,970, a total of \$458,896. The tippling houses increased in number in the State between 1880 and the time this law became operative. This law has reduced the number of dramshops or drinking saloons within the first year of its operation from 3,601 to 3,150, a decrease of 457 or 12 per cent., and has reduced the number of places of strong drink from 3,469 to 2,115, over one-third. There has been an increase of 903 wine and beer saloons under this law. I think that section of the law should be repealed, as many who seek shelter under it do so for the purpose of violating it, and, in fact, making their saloons open dramshops without paying for the privilege. While the revenues of the counties have been largely increased under this law, those of the cities, towns and State have been much reduced. This should be remedied. No law should work so partially in favor on one division of the State against other divisions, and in fact the State itself. For the violation of this law the courts should either impose the maximum penalty or this body should repeal the minimum fine. The county revenue from saloon licenses has been increased from \$358,000 to \$1,164,000, an increase of \$806,000 within the first year. The State revenue



from that source has been diminished \$85,041.06 within the first year, and several small counties yet to be heard from. Heretofore the county courts have exacted the minimum license, \$550, from those seeking the privilege of trade. The maximum price is \$1,200. I think experience and the demands of society will require an increase in the value of the license over that of \$550 and a more equitable division of the amounts between the towns, cities and State. Intemperance is on the decrease in the State from two causes: A stronger moral sentiment and fewer places of temptation to the young and old. There are twenty counties in the State in which license cannot be obtained for dramshop purposes. Public opinion is demanding a strong and effective law upon the license system; one that will discourage, rather than encourage, public drinking saloons, and at the same time requiring a strict enforcement of that law; crediting those who comply with the requirements of the law, by severely punishing those who violate it under any pretext whatever. There is also a strong and growing sentiment within this State in favor of closing dramshops and forbidding the sale or giving away of intoxicating liquors by the keepers of such places on Sunday. The religious papers of every religious belief have spoken strongly upon this subject, and those authorized to speak for the churches, have issued strong deliverances in favor of thus preserving that Holy day. The moral sentiment of this State demands it and these deliverances are but the faithful echoes of that sentiment.

I am unwilling to see this day, one of the bulwarks and mainstays of our form of government, abolished by legislation, infidelity, or passion for gain. It should be preserved "in every line of its rubric and every thread of its vestment," as one upon which all classes can say, "in obedience to divine, statutory and physical laws."

Those engaged in the manufacture and sale of spirits recognize this fact. The western distillers held a convention in Chicago within the last year and issued a series of resolutions of much significance, which I present for your



consideration. They enumerate two ideas very clearly To preserve an orderly Sabbath, and a well digested license law that will protect the State as well as the licensed. If those prominent ideas are not observed by that craft, the natural result will be more stringent legislation in the future

WHEREAS, It is well known that the American people were brought up to preserve an orderly Sabbath, and laws are on the statute books forbidding all kinds of labor on that day; therefore,

*"Resolved,* That we are in favor of enforcing those laws, and ask no special privilege for this business we are engaged in.

*"Resolved,* That the fact that prohibition does not prohibit, has been abundantly proven. Therefore, we are in favor of a well digested license that will protect the State as well as the licensee, and the price placed at such a point as will yield a large revenue, reduce the number of drinking places and elevate and make more respectable this branch of business."

With a disposition to have the Downing law fairly tested, I have sought to have it enforced throughout the whole State and have not remitted any penalty inflicted under its provisions.

#### COMMON SCHOOLS.

The people, in the Constitution of Missouri, having declared that "A general diffusion of knowledge and intelligence being essential to the preservation of their rights and liberties," and a similar provision being found in every constitution under which we have lived, from that of 1820—when Missouri was admitted into the Union, down to the present time,—it is proper that I should again declare that it has been one of my chief aims, as the Executive, to protect and preserve, unimpaired, the excellent free public school system which was laid in the first constitution, in 1820, and perfected afterwards by laws passed in pursuance of our different constitutions. In speaking thus, I include the entire system, not a part of it. I refer to the free public schools, the normal schools, including Lincoln Institute, and the State University and its associate schools. It is from these ever-flowing fountains that the sons and daughters of Missouri can well prepare themselves with that



knowledge and intelligence necessary to understand their rights and at the same time teach them the duties and several obligations of citizenship. The character of a free commonwealth depends more upon the virtue and intelligence of its citizens than upon the hidden treasures which are so bountifully imbedded beneath its rich and fertile soil, for without intelligence and knowledge these natural sources of wealth and happiness would be almost useless to the people. Missouri must keep fully abreast upon the subject of education with the oldest and most cultivated States of the Union. We cannot afford to, and we should not, fall behind them. With our boundless resources, our healthful climate, our strong central position in the very heart of our common country; inviting hither the intelligence, the enterprise and the capital of the world, it is a solemn duty that we owe not only to ourselves, but to the whole country, to maintain a liberal educational policy. Such a course pursued steadily by the State, will inspire a corresponding liberality upon the part of those whose labors have been crowned with success in the accumulation of wealth, and who will gladly come to the aid of the State, in giving to and strengthening that public system of education, upon the complete success of which so much depends the liberty and happiness of the people. With such a system perfected and sustained, and united with the private and denominational systems, which are never to be overlooked, there is no reason why Missouri may not occupy a proud and enviable position among even the foremost of its sister States. I announce with pleasure and pride, in this, my last message, that the advancement of our public schools in all that looks toward a perfect system is very encouraging. The opposition to and prejudice against the public school system is rapidly giving way to a more cheerful support; longer terms of schools are maintained, better teachers are demanded, salaries have been increased, men and women are entering the profession to make it a life work, while the people realize that upon this popular system they must depend for the education of the youth of the land.



The common school system is the superlative blessing of the State upon the poor. It is now a consolation to the poor father and mother that, politically, their offspring have power to rise to the highest office in the gift of the people; and to trace his upward step from the ever-unclosed door of the public school. The condition of our school fund is excellent. By the act of the last General Assembly the State fund was increased \$222,000.00, making the permanent interest-bearing State fund \$3,131,000.00, while the entire school funds of the State amount to \$10,178,780.89, as shown in the following table:

Permanent interest-bearing State School Fund.....	\$3,131,000 00
In treasury to credit of State Fund.....	1,306 65
State Seminary Fund.....	509,000 00
Permanent County Public School Fund.....	2,934,253 28
Permanent Township Public School Fund.....	3,347,260 11
Special Public School Fund.....	130,437 87
From fines, penalties, etc., for 1884.....	125,522 98
Total amount of available school funds.....	\$10,178,780 89

During the year ending June 30, 1884, there was expended for public instruction—not counting the University or Normals, \$4,229,518.33, besides leaving a balance on hand July 1, of \$1,508,569.29.

The total number of children reported by the county clerks is 785,122; of this number 740,327 are white and 44,795 colored. There are 401,455 male and 383,667 female. There were 13,296 teachers employed.

Average salary of teachers, \$47.75.

Average length of school term, 113 days.

Number of school rooms occupied, 10,523.

Number of white schools taught, 8,881.

Number of colored schools taught, 528.

Value of school property, \$8,825,548.

Such an exhibit as this must command the respect of even the basest slanderer of the State. I trust no narrow limit will ever be placed around the educational spirit of



Missouri. The school house is the natural forerunner of the church. The church is the stronghold of law and good morals, and upon those solid foundations the superstructure of our liberties and personal rights must be built. Bind the minds of men in chains of ignorance, and it requires but a moderate portion of art and talent to enslave their bodies. Let us wage upon the citadel of ignorance a perpetual and exterminating war. It is the first of our political duties. We owe it to our principles, to our institutions, to our posterity and to mankind.

#### NORMAL SCHOOLS.

The superior enlightenment of the times is nowhere more manifest than in the liberality of sentiment among the masses of our people upon the subject of public education. The normal system of instructing and qualifying our own young men and women for teaching in our common schools, is now so firmly established as a part of our admirable system of education that no argument is necessary to demonstrate its wisdom and utility as a potent agent in the efficiency of public school instruction. So deeply am I impressed with the importance of this matter to the whole people that I cannot forbear a repetition of my former recommendations upon the same subject. It is the duty of the party charged with the disbursement of our public funds to so dispose of those funds as to secure to the masses of the people the largest benefits possible. Legislators should not only guard every avenue to the State treasury with a jealous eye, but they should evidence a broad, comprehensive economy by such appropriations in behalf of education as recognize the potency of this great lever of humanity in the prevention of vice and crime. From the reports made to me by the officers in charge of the management of our Normal schools, I am convinced that their management is in excellent hands. They are steadily progressing in the matter of attendance and the accomplishment of the great work of educating teachers. From the report of Prof. George L. Osborne,



President of the faculty of the Warrensburg Normal School, I learn that the demand for trained teachers has kept pace with the growth of the school, and that, during the past year, they have not been able to supply more than half the applications for teachers of various grades. All of the full course graduates and eighty per cent. of the elementary graduates of 1883 are teaching. This statement of facts is stronger than any logic in favor of the efficiency of normal instruction and the utility of the schools. A full report from the Board of Regents will be laid before your body, showing the receipts and disbursements since the last meeting of the legislature. By this report it will be seen that there is a necessity for an increase of the amount of the usual biennial appropriation, and also for an extra appropriation for the completion of the assembly room, now in process of erection. I strongly urge upon you the necessity for these appropriations. The results of such wise economy upon your part will be seen in an elevation of the standards in our public schools, and increase of intelligence among the masses of the people, and a diminution of the amount necessary to be appropriated by your successors, for the payment of criminal costs.

The report made by Prof. J. P. Blanton, President of the faculty of the Kirksville Normal School, is quite as satisfactory in every respect as the report from the Warrensburg school. During the year there were enrolled 501 students, representing 44 counties. Prof. Blanton reports the same difficulty in supplying the demand for teachers. Of 83 graduates of the past year, 17 in the advanced and 66 in the elementary course—all are either teaching or preparing to complete the full course. 252 under graduates will teach during the next school year.

The report made by Prof. R. C. Norton, President of the faculty at the Cape Girardeau Normal School, shows a condition of affairs highly gratifying to the friends of education. He says: "The call for trained teachers has been greater than our ability to supply, but we hope next year to considerably increase the number capable of taking charge of



district schools." This school is in a most prosperous condition and is meeting the most sanguine expectations of the enlightened citizens of Southeast Missouri, who labored so earnestly for its establishment.

The reports from the regents of these schools which will be made to you, will give you explicit information in detail, of the condition, results accomplished and needs for increased usefulness in the future. I cannot too strongly urge upon you the importance of a liberal support of these institutions which constitute at once the foundation and key stone of our admirable common school system. The subject is of so much importance to the masses of our people who are unable to educate their children in colleges, that it well repay the most careful investigation by the enlightened and liberally educated.

#### LINCOLN INSTITUTE.

By an act of the Legislature, passed in 1879, Lincoln Institute was taken under the patronage of the State. I believe it to have been a just and wise act. At no time in its history has the Institute been so prosperous as during the year just closed. The number of pupils is rapidly increasing, and their advancement is more marked and satisfactory. Prof. Inman E. Page, the principal of the faculty, is a most accomplished teacher, and is in every way peculiarly fitted for the work of educating his race. The State has hitherto shown a liberal spirit in dealing with this school, and, in the light of that liberality, I can fear nothing for the future. The appropriations for it should be commensurate with its wants. The following extract from a letter from Prof. Page to myself is worthy of consideration:

#### STUDENTS IN ATTENDANCE.

Session of 1880-81.....	153
Session of 1881-82.....	148
Session of 1882-83.....	165
Session of 1883-84.....	187



From present indications we shall have at the close of this session nearly 200. We have graduated thirty-three students, of whom twenty-four are now engaged in the profession of teaching, and, so far as I have been able to learn, are giving satisfaction. Of the whole number of graduates only one has brought reproach upon the school by immoral conduct.

The most pressing need of the Institute at present is an appropriation sufficiently large to pay our teachers as good salaries as are paid at similar institutions elsewhere. It is becoming difficult to keep our best teachers, because better inducements have been offered them. You know how much the prosperity of an institution of learning depends upon the retention, year after year, of the most successful teachers. I think you will agree with me that the Institute should have as large an appropriation for maintenance as any other Normal School in the State.

#### · THE UNIVERSITY.

The University moves steadily onward in its career of great usefulness and prosperity. The catalogue of the year ending in June, 1884, shows 573 students and 65 graduations. Up to the present time of the current year, which will end June, 1885, nearly 500 students have entered. It is worthy of public notice as marking the ripe intelligence and progressive character of the present management of the University, that the last catalogue announced a modification of the academic course which is now in progress of successful realization, and which, to quote the language of the catalogue, page 130: "Had in view the realization of our main idea, viz: that of giving greater prominence than hitherto to the physical sciences in the academic work of the University. This is accomplished in two ways: First, by bringing the sciences to the front, in the early part of the course, and associating them with the language work for elementary disciplinary purposes; second, by organizing the science work in the successive stages of the courses,



so as to provide for progressive advancement to higher attainments therein than is otherwise practicable. Public attention is also asked to a distinguishing feature of the University fund in the Agricultural department. The Agricultural and Mechanical College has organized a strictly industrial and professional course of studies. The completion of this farmers' course is attested by the degree and diploma of Bachelor of Agriculture. Its central purpose is to educate the farmer rather than the citizen, to give a special rather than a general education. Standing in the same relation to the art and vocation of farming that the Medical College does to the medical profession; that the Law School does to the legal profession; or that a School of Engineering does to our internal improvements; or a Normal course to the work of teaching. It must be borne in mind, however, that the complete course of the Agricultural College is not only professional but academic. It aims not merely at special, but also at general culture. The academic part of the work is assigned into four courses, with the corresponding degrees and diplomas, on completing the same, of bachelor of arts, bachelor of science, bachelor of letters and bachelor of domestic arts, for young women. Woman is not overlooked in this comprehensive curriculum. The student, however, may enter at once on the professional business course in agriculture, and after that is completed take the academic course, if his means permit, and his tastes impel him to do so. By this plan the farmer is made first, and the general scholar and citizen afterwards, and a more manly result is reasonably anticipated and surely attained. Students aiming at other colleges go to work at once on their professional studies as soon as they are in possession of the necessary elements of doing so. It may be said that this method is at issue with, and inverts the practices of Agricultural Colleges. This is true, but it is of no consequence if it be, as it is, in fact, in harmony with the sound educational principles, which the experience of this practical age has sanctioned. Our youth gain both time and strength by this method, and they pursue the



after-course of culture, provided in the Agricultural College of the University, with more zest and profit than they do by wearisomely wading through as preparatory to their agricultural studies for which actual experience in the school-house, and on farms, have so well prepared them before coming to the University.

By this arrangement the graduates from the professional part of the Agricultural College course have the privilege of pursuing their subsequent studies as post graduates, which gives them certain advantages and also relieves them from certain charges. Moreover, by this method, no young man is cut off or debarred from the direct, practical advantages of the special agricultural course. And when he has acquired that, it is his option whether he will or will not continue his general studies. The farming interest dominates every other in our State, for it contains about three-fourths of our population and about two-thirds of our taxable property, and it is therefore a matter of no small concern that the Agricultural College of our University is making such determined and well directed efforts to promote this interest. Prof. J. W. Sanborn, who has been in charge of this college for the last three years, commands the confidence of our people as eminently qualified for his important position. It would be a wise policy to provide liberally for facilitating the work of this college by giving the farm a complete outfit of improvements; by organizing in connection with it a department of veterinary surgery and microscopy, and by erecting a suitable chemical laboratory. Our business interests commend these topics as worthy of immediate attention. I especially call your attention to the importance of establishing the office of Veterinary Surgeon, and appropriating a sufficient amount to command the best talent on that subject. The deadly diseases affecting the cattle, horses and hogs, not only in our own State, but also over the whole west, within the last year, are a sufficient warning to prepare for the future. This office, if created, should be in connection with the Agricultural Farm of the University.



The Thirty-second General Assembly appropriated \$1,000,000 for improving the main University building. With due diligence plans were obtained and approved and contracts for the work were awarded as provided by law, and ground was broken October 10, 1883. The time consumed with preliminaries was unavoidable. The first premium for architect's plans was awarded to H. W. Kirchner of St. Louis, and the second to Fred Bell of Fulton, Mo., and those gentlemen were employed as associate superintendents of the work on a commission. The general building contract was awarded to Patrick Mulcahey of St. Louis, and the contract for heating to E. D. Mier of the same city. The entire improvement is nearing completion. The interior of the old building has been transformed, and the west room, including the new museum and class rooms, is about ready for occupation. The new east room, containing the auditorium on the ground floor and the library room above, will be ready for occupation by the 1st of March. It is hoped that the Legislature will make suitable provision to seat this room before it is occupied by the Press Association of Missouri in the spring of 1885. It will comfortably accommodate an audience of 1,500 persons. The contracts for the work provided that it should be completed by September 1, 1884, but they properly had a weather clause in the contract and the severity of last winter and the unusually unpropitious past season for building have caused unavoidable delay. The improvement was carried forward in good faith and with commendable diligence. The report of the visiting committee of the House will give detailed information concerning the building.

It is certainly gratifying that this large appropriation has met with such universal approval and commendation at home and abroad, and the expenditure of the money has been marked by the utmost care and fidelity. It is probable that the State never accomplished more work with the same amount of money, nor acquired so much honorable distinction at so small a cost. The time has come when the public at large begins to look to Missouri—the leading



State of the Mississippi valley in material resources, and now only the sixth from the top mark in political importance in the entire thirty-eight States—to take first rank also in intelligence and educational facilities. Any national system of universal suffrage must be based on universal intelligence and honesty. Our elective franchise is now practically universal and only dreamers have ever thought of justifying universal suffrage otherwise than by universal intellectual and moral education. But experience tells us that universal education in the State transcends individual and private enterprise, and must be attained only by State aid. Both in theory and practice the States of our Union are no exception. They all have their public schools and universities. Even Japan, at Tokio, China, at Peking, India, at Calcutta, and Egypt, at Cairo, has its university. There is not a State of Europe, from Russia to Spain, from Greece to Great Britain, without its university. The higher its civilization and political consequences in Europe, the more emphasis is given to this line of educational work by each of the several States. Universities and colleges are as essential to popular education as the common school system. Both systems should receive the liberal support of the State if it is desired to place the State in the front rank of thought, progress, prosperity and advancement. The calcium light of this age is turned in criticism upon the State that lags behind in education, and in commendation upon that State which opens its school houses with the same freedom to the rich and poor. Mr. Jefferson said in a letter to Hon. Wm. T. Barry, of Kentucky: “Learned institutions ought to be favorite objects with every free people. They throw that light over the public mind which is the best security against crafty and dangerous encroachments on the public liberty. They are nurseries of skillful teachers for the schools distributed throughout the communities. They are themselves schools for the particular talents required for some of the public trusts, on the able execution of which the welfare of the people depends. They multiply the educated individuals, from among whom the people



may elect a due portion of their public agents of every description; more especially of those who are to frame the laws, by the perspicuity, the consistency and the stability, as well as by the just and equal spirit of which the great social purposes are to be answered."

The common school and the higher academic education, North and South, naturally started in the race hand in hand in our early history, and it became the established and historic colonial custom and policy to aid schools of all grades with public as well as private funds. This explains the origin of the policy and practice of our government, for more than a century, in aiding schools of all grades by generous land grants. Missouri, like other new States, has shared liberally of the public domain for school purposes. By this aid our original public school system, consisting of the common schools and of the university, was founded, and more than four-fifths of the present endowment of our university, including the Agricultural College, is from the same source. We speak with much pride of our public school funds, in comparison with other States, of which I have spoken in another place. Our State university, however, has not been placed on a financial footing equally favorable for comparison.

But perhaps the time has now come to do so by helping ourselves in the same liberal spirit in which we have been helped, for the material prosperity of the State at this time, fully warrants it, and a sense of independence and of self-respect should constrain it. Missouri is able to take care of itself in an educational line. It is proud of its own capacity and willingness. However much many of our best citizens may look towards the general government for educational aid at the present time, I think it safer and more in the line of the thought of the fathers to depend upon our own ability. In 1822 Mr. Madison said: "It is among the happy peculiarities of our Union that the States composing it derive from their relations to each other and to the whole a salutary emulation without the enmity involved in the competitive States alien to each other. This emula-



tion we may perceive is not without its influence in several important respects, and in none ought it to be more felt than in the merit of diffusing the light and advantages of public instruction. In the example, therefore, which Kentucky is presenting, she not only consults her own welfare but is giving an impetus to any of her sisters who may be behind her in the noble career." I favor the broadest system of education. It is the least costly of all the legislative benedictions upon the State, and is the greatest safeguard against all crimes and public calamities. Knowledge will ever govern ignorance, and a people who mean to be their own governors must arm themselves with the power which knowledge gives. Many deem the accumulation of vast wealth in the hands of a few in our land as dangerous to the liberties of all. If so, the antidote is in education, not in abuse, not in mobocracy, for there is no check upon the aristocracy of wealth so effectual as the equality of knowledge. A people well educated will never be the slaves of tyrants or the tools of demagogues. When the bloody Morillo overran the fair province of New Grenada he sought to exterminate the seeds of liberty and crush the germ of revolution by putting to death every man who could read and write. The rest, he wisely thought, would be slaves.

I am more and more convinced of the wisdom of placing the State University upon a more solid foundation by providing an *ample and permanent endowment for it*. This can readily be done by setting apart an interest-bearing *certificate of endowment*. In a former message I used the following language in reference to this subject: "The annual interest on the certificate could stand in lieu of the appropriations asked for at each meeting of the General Assembly. This policy would not increase the expenses of the State, while it would secure certainty and uniformity of income, upon which the authorities of the University and associate institutions could always depend." Indeed, it is plain that such a course would be a saving to the State, for the certificate would predetermine the formulation of the University item in the biennial appropriation bills, and do away



with the wasting of time and money in discussing the same subject over and over again and avoiding the oft recurring scene of presidents, professors and other gentlemen lobbying in favor of a meagre appropriation in behalf of the State University, and by anticipating in a definite business way the income available, it would be used more efficiently and profitably to the State. If asked to suggest the amount of the certificate to be added to the present endowment, I should say: not less than one million dollars, and that bearing 6 per cent. per annum interest. Certificates already issued by the State to the various school systems should have that uniform rate of interest. This certificate would not increase the debt nor the taxes of the State one dollar; would in fact be a part of its wealth and its honor, giving it strength at home and reputation abroad. Missouri is in the centre of an educational circle of States, which are rapidly assuming an advanced position on this bulwark of strength and greatness. Texas, Kansas, Iowa, Wisconsin and Illinois are challenging admiration in this "broad field of battle," and Missouri must gird up its loins for greater exertions, else it will pass to the rear and no longer be a "hero in the strife." This should not be. Population and wealth follow progress and intelligence. There is strength in well directed liberality; there is weakness in inconsiderate parsimony. In the words of the wise man: "There is that scattereth, and yet increaseth; and there is that withholdeth more than is meet, but it tendeth to poverty." The University should be placed on as firm a basis, and rendered as independent as the common school system of the State. Endowments beget endowments, and largely endowed colleges ever receive the largest foreign as well as domestic patronage.

Doubtless the Board of Curators and the visiting committee will in their reports to the General Assembly, submit to your consideration these and other matters of much importance, affecting the University. My apology for having spoken at such length on the University is my profound interest in that institution of learning, which, being not



only the oldest, but also the central one of the State, and must, in the nature of things, either be the "crown of glory," or the shame of this great State, depending alone upon the manner of legislation bearing upon its existence. In the words of old John Adams, when both blind and paralytic, I say:

"The Universities and schools mutually support each other; the schools furnish students for the colleges, and four years afterwards the colleges send the young men into the country to keep school."

So, keep both in full force and strength, as vigilant supplements to the prosperity of Missouri and the freedom of our people. "What spectacle," in the words of Mr. Madison, "can be more edifying or more reasonable than that of liberty and learning, each leaning on the other for their mutual and surest support."

#### SCHOOL OF MINES.

This school is not in as prosperous a condition as could be desired. From some cause it has not been patronized as was expected. It is eligibly located at Rolla, Phelps county, whose citizens are intelligent and enterprising, and is presided over by an accomplished President. The Legislature should consider the propriety of removing the school to Columbia, creating a separate professorship for that branch of learning, and substituting in its place at Rolla a normal school, which would be of more utility to that part of the State, and especially so to Rolla. There are sixty students in attendance at the school this year and a very large proportion of those, so I am informed, are in its preparatory department.

#### MANUAL TRAINING SCHOOL.

I now call your attention to another system of education which should sooner or later be made a part of our general system. It enters so intimately into all the other branches that no State can afford to disregard its practical



usefulness. The progress of the age demands a further enlargement of our educational facilities. Industrial art has become one of the most productive factors of national wealth. A superiority in handicraft has often changed the channels of commerce. The experience of modern Europe forcibly illustrates the value and necessity of skilled labor. The industrial competition between France and England is replete with instructive suggestions. The polytechnic schools of Europe are prolific sources of national opulence. Prior to 1851, the manufactories of Europe were largely fashioned by the hands of uneducated workmen, wholly unlearned in the higher arts of their calling, but the wares of France were embellished with a beauty derived from trained intelligence. The greater excellence and attractiveness of French goods, secured a large part of the patronage which had formerly enriched England. The losses to which the infirmity of its artisans subjected Great Britain were enormous. In order to regain its manufacturing ascendancy, England has spent millions of dollars on its polytechnic schools and the result has shown the wisdom of the expenditure. Latterly Germany has been devoting much attention to the education of its workmen, and the higher finish of their products attest the effect of the training. In some respects the polytechnic schools of Russia are the best in the world, and they are exerting a very beneficial influence upon the practical arts of that realm. Such institutions, though comparatively recent in the United States, have long existed in the foremost countries of Europe, and their usefulness has effectively promoted the material greatness of the lands in which they have been located. The United States may profitably imitate examples so productive of wealth. The prosperity of modern nations is based upon the foundation of intelligence of manual skill. An ignorant population is sure to fail in a competition for manufacturing and commercial supremacy. The spirit of the age demands an universal system of industrial education. The rich resources of Missouri require skillful workmen for their full development. The hands of our youth



should be educated by manual training schools. Handicraft is an efficient ally of science. Equipped with a thorough mastery of principles and with a practiced dexterity in the use of tools, the young men of this commonwealth may go forth to the industrial battles of life with an assured confidence of victory. The artisan intelligently skillful in his craft, produces the best work and commands the highest wages. His dexterity is a guarantee of steady employment. In periods of industrial depression, the working force reduced, it is always the ignorant and less productive who are discharged. The instruction given in manual training schools is necessarily rudimentary. It does not pretend to fit lads for the practice of any technical profession. It must be supplemented by the tuition of the actual workshop. But it familiarizes boys with the handling of tools, shortens the term of apprenticeship, develops natural aptitudes, cultivates mechanical, and fosters an inventive spirit. Technical education strengthens manhood, cultivates independence and self-reliance, and enables the penniless boy to obtain an easier start in life. I think manual training should be incorporated in our system of public instruction and be taught in every school of the land. If all the young men of this State had educated minds and dextrous hands, Missouri would soon occupy its rightful place in the front rank of American progress and greatness. I favor those measures that will educate our young, guard their habits, give them means of labor and that will elevate Missouri to that point where it will be a pattern of all excellence.

Having now completed my reflections upon the school system of the State, from the Kinter Garten to the University, invoking the most vigilant guardianship over all, let me especially ask that no unfriendly hand be laid upon the common and Normal schools; those schools that are so near the door of every citizen, and which truly can be called "the poor man's friend." No party can strike them down without striking down its own existence and supremacy, and no party can stand before the people of Missouri



for one day as the antagonist of schools and the enemy of education. God forbid that it ever should! Whenever such a hand is put forth against these schools a swelling chorus of voices should be heard from one end of the State to the other, exclaiming:

“Woodman, spare that tree,  
Touch not a single bough,  
In youth it sheltered me,  
And I'll protect it now.”

#### SCHOOL BOOKS.

One of the most important questions that can engage your attention is the law regulating the adoption of text-books in our common schools. This question has assumed such proportions as to vitally interest every patron of the public schools. It is now an economic question in every household. Our present laws were framed with the purpose of avoiding the very evil which they have made possible. The contests between the various publishing houses for supremacy in securing the adoption of their respective books, have, in many instances been both disgraceful and expensive to the participants. To avoid a recurrence of this labor and expense, several of the leading publishing houses have formed a pool, so that no matter which system or series of books may be adopted in a county, the result is the same to all the houses in the pool. The result is that a monopoly has fastened itself upon the people of Missouri which calls loudly for your interference. In my judgment there are but two remedies for this evil. The first of these is to provide for the selection of text-books by the board of directors in each school district separately. This plan is not without objections, but I should regard it as, in every way, superior to the one now in force. The other plan, while involving a radical change in the law, has much to recommend it. Governor Sherman, in his recent biennial message to the Iowa legislature, in discussing the same question, says:



"I respectfully ask your attention to a matter not mentioned in the report, but which I believe to be an important one to the State. I allude to the subject of

SCHOOL BOOKS,

which has grown to be a very serious one to very many of the people. Every head of a family is cognizant of the fact that one of the most expensive items connected with the education of his children, is that for the purchase of school books, and when he removes from one district to another, he is often subjected to the necessity of purchasing an entirely new series, different from that obtained in the locality where he previously resided, although in the same county. That this is a serious and expensive matter, is known to every parent, and oftentimes the cause of real embarrassment. Every one knows, too, the enormous profit enjoyed by the publishers of these text books, averaging, as it does, over one hundred per cent. above the cost of publication. In order to relieve a large proportion of our people, and as well to establish uniformity throughout the State, which in itself is a great desideratum, I am earnestly in favor of the State adopting and publishing a series of elementary books intended for the earlier instruction of the pupils in our schools, which shall obtain in all our schools. A committee of competent educators, citizens of our own State, can easily be secured who can prepare and edit these works, and the State publish the same, furnishing the books at cost price, and thus insure great saving to the people and the State.

"I am thoroughly satisfied of the feasibility of this suggestion, and would be glad to see it adopted by the General Assembly. There is no good reason why hundreds of thousands of dollars should thus be expended without the State, to the pecuniary advantage of a few book publishers, when the State through its own publication of these works, can save so much to its own people.

I commend the subject to your unprejudiced consideration."

I believe with Gov. Sherman, that the plan providing for the publication of a series of text-books by the State, is feasible, and furnishes a solution of this important question. I earnestly urge you to give this matter the attention its magnitude and importance demand. Many of you have personal knowledge of this matter and will, therefore, feel a personal interest in its proper adjustment.

LUNATIC ASYLUMS.

There is no class of humanity so deserving of sympathy and the best efforts of philanthropy as the insane. They appeal to us, by every feeling of humanity, for assist-



ance. From the exhaustive report of Dr. T. R. H. Smith, superintendent and physician in charge of Fulton Lunatic Asylum, I learn that the institution is in excellent condition and I am convinced that it is managed with great prudence and economy. I feel it to be my duty, however, to call your attention to the meagre provision made for the care of the insane in this State. Both the Fulton and St. Joseph asylums are now overcrowded. Each of these asylums now has one hundred more patients than it can properly care for. In addition to this there are about 2,500 insane in the State outside of asylums, confined in jails and poor houses, or not cared for at all. This state of affairs ought to be permitted to exist no longer. It cries to heaven against us. Adequate provision ought to be made at once for the proper care and treatment of these unfortunate people. The recommendations upon that subject are so intelligently and fully set out in Dr. Smith's report (which will be laid before your honorable body), and are supported by such cogent reasons that I commend them to your earnest attention, and endorse them as worthy of your best thoughts and efforts. Dr. Smith's report is a most valuable document and is entitled to a careful perusal. I have not had an opportunity to examine the report of Dr. Geo. C. Catlett, superintendent of Lunatic Asylum No. 2, at St. Joseph, but from the synopsis of the report furnished me, I believe that institution to be in excellent condition. Its management is alike creditable to the intelligence, humanity and honesty of the officers in charge. The fifth biennial report of the superintendent will be laid before you in due time, with the recommendations for the necessary appropriations. The legislature ought not to hesitate to comply with the suggestions of Dr. Catlett, who is in every respect well qualified for his important work.

The overtaxed condition of the Insane Asylums is a shame to Missouri. The capacity of the several asylums is as follows:



St. Louis.....	300
Fulton.....	450
St. Joe.....	250
Total.....	1,000

They are attended as follows:

St. Louis.....	900
Fulton.....	550
St. Joe.....	270
Total.....	1,720

These figures present their own condemnation and place the State in no favorable light before the humane world. This is the darkest spot on its bright character. But still, the whole story is not yet told. There are in the State 2,300 insane persons who cannot be accommodated, which is a still greater shame upon the State than the one already given. According to the tables of neurologists at least 50 per cent. of these can be saved, if taken in time. If neglected, the whole of this number will become permanently insane and be a constant burthen upon their guardians and the State. If the question is considered from an economical standpoint, it will be much cheaper in the end to provide suitable asylums. No State can afford to place itself upon that miserly plane when the afflictions of humanity appeal to the broadest sentiments of the heart and the wisest conceptions of the brain. This assembly should provide another Insane Asylum in one of the eligible points of the State; also enlarge those already built.

#### DEAF AND DUMB ASYLUM.

Dr. W. D. Kerr, the superintendent in charge of the deaf and dumb institution at Fulton, makes an admirable showing of the condition of that institution in the synopsis of his report furnished me. 284 pupils have been taught



there within the last two years. There are 208 in attendance at this time. The building has been greatly enlarged and improved with the money appropriated by the last General Assembly. I suggest that a reasonable appropriation ought to be made for the purpose of buying carpets for the rooms, and perhaps other articles necessary to the comfort of the children. The managers of the asylum will recommend to you the establishment of an institution for the care and education of the feeble-minded. They will present the matter to you in detail, with the reasons for their recommendation. It is a grave question and worthy of your serious attention. I believe that such an institution should be provided, as by proper training many of the feeble-minded of our state could be taught to be self-supporting.

#### THE MISSOURI SCHOOL FOR THE BLIND.

The reports of the superintendent and trustees of the Missouri school for the blind are very full and explicit, and make a most satisfactory showing of the progress made by the pupils of that institution, and give evidence of an honest and economical administration of its finances.

The State has always evinced an enlightened liberality in providing for the education of its blind; nor can the resources of the State be more humanely or wisely expended than in liberal appropriations for their education. It is the chief object of the Missouri school for the blind to teach its pupils such branches and mechanical industries as they may most readily utilize in their own maintenance. In the language of Dr. John T. Sibley, the efficient superintendent of this school:

"The object of the school is to make the blind self-sustaining, and to the extent that it fails in this, just to that extent does it fail in its chief object. The question then arises: Do the graduates of the school support themselves? In a majority of cases they do. In some cases they do not."

No stronger statement than this can be made regarding the graduates of our best colleges, and if any considerable number of the graduates of this school can be educated to



the point of becoming self-sustaining, the State is amply compensated for all the money expended in the accomplishment of so grand a result.

The economy of the management is shown by the fact that an unexpended balance of \$11,218.44 remains of the amount appropriated by the last General Assembly. In the report made to me by Mr. Richard M. Scruggs, president of the board of trustees, an appropriation of \$52,000 is asked for the years 1885-6, as follows:

For maintenance.....	\$36,000.00
For pay of officers, employes, etc.....	16,000.00

This is \$5,000.00 less than the sum appropriated for the last two years. I trust that you will not hesitate to appropriate the sum asked for. During the years 1883-4, 147 pupils were in attendance, which is an increase of 34 over the years 1881-2. The reports of the superintendent and trustees, which will be laid before you, will give you, in detail, all the information necessary to a thorough understanding of the work and wants of the school.

#### TOPOGRAPHICAL SURVEY.

An act was passed by the last General Assembly, entitled "An act to provide for a topographical survey of the sunk and overflowed lands of Southeast Missouri, and to appropriate money therefor," under the provisions of which, on the 25th day of April, 1883, I appointed James F. Brooks, of Cape Girardeau county, as a skilled and competent civil engineer to take charge of and supervise the work of the survey.

This appointment was made upon the recommendation of many of the representatives and leading citizens of southeast Missouri, who strongly endorsed his competency to successfully manage that important enterprise.

The sum of \$9,000 was appropriated to pay the expenses of making the survey and preparing proper charts, maps,



plats, profiles, field notes, explanatory notes and other necessary information as the act requires.

Of this sum the engineer has drawn from the State Treasury \$8,142.23. He has made no report to me of the progress made in his work. Complaints were made to me that he was not performing the work contemplated in the act under which he was appointed, and I addressed several communications to him, calling upon him for a report or showing of the progress made in the survey. After repeated solicitations, he visited Jefferson City and assured me, in person, that he was engaged in the performance of his duties, and that he would complete the survey in a manner satisfactory to the people.

Since that visit I have heard nothing from him, and know nothing of the progress made in his work. I would have removed or suspended him from his office if the power to do so had been vested in me, but, having no power to interfere, I have been compelled to await the final result of the matter, without action upon my part, although dissatisfied with his conduct and methods. Such a survey should be made of the sunk and overflowed lands of south-east Missouri, as is contemplated in that act, as it is believed that a vast quantity of valuable land may be reclaimed and made productive. I trust that you will take such action as will insure a survey of the lands, and to that end you should confer the power upon the Governor to remove the engineer in charge, whenever it shall be made to appear to him that he is neglecting his duty. An investigation of the conduct of the present engineer should be had, and if it be ascertained that he has neglected his duty while receiving this large amount of money from the State, or if he has improperly drawn the money, he should not be permitted to escape the just consequences of his conduct.

#### COUNTY ROADS.

The present road law should be revised, it having failed to accomplish the good that was expected of it, the result being bad roads over the greater part of the State, which,



with care and industry, could be made good natural roads, at least during the greater part of the year. I think the contract system should be substituted for the present system. This plan provides for the employment, by the County Court, of as many day or annual laborers as may be necessary, who shall work under the supervision of an experienced builder of roads, and whose whole time shall be devoted to the repairing and construction of roads and bridges. I am informed that Maryland and New York have had this plan in operation for years, and it has met the sanction of the public. This force will have to be paid by a tax levied for that special purpose. The improvement in the character of our roads would more than compensate for the additional cost of their construction and maintenance, and nothing adds more to the reputation of a county than the excellency of its public roads. Of course this tax will have to be paid in money, and that means a higher road tax, but in the end, the system will be found cheaper and more effective than the present slovenly method.

#### THE WORLD'S EXHIBITION AT NEW ORLEANS.

This exhibition is now in operation. It has the sanction of the Congress of the United States, and all the nations of the earth have been invited to exhibit their wares in this great bazaar, by the President of the United States. Under the act of Congress, each State and Territory was invited to recommend the name of some suitable person for commissioner at the exhibition, to represent the State, and some other one as the alternate, to the President of the United States for commissioner. Upon the recommendation of Edward Harrison and Judge Breckenridge, of St. Louis, I appointed F. F. Hilder, of St. Louis, as such commissioner, and upon my own volition I appointed Hon. C. P. Ellerbee, of the same city, as the alternate. These gentlemen received no compensation from the Government or State. Mr. Hilder entered actively upon his duties at once. By his industry and the assistance given in St. Louis, and by the



citizens of Missouri, he has accumulated large exhibits of the arts, manufactures and products of the soil and mines of this State. Under date of Dec. 18th, 1884, he writes me from New Orleans: "I am busily engaged in getting into shape the large arrival of goods from Missouri. When completed I think I shall have a display which will be a credit to the State, and better than could have been expected, considering the small amount of funds I have had to work with, compared to other States." Not a dollar has been given by the State to this great enterprise. The money upon which Maj. Hilder has operated is that advanced by the generous citizens of St. Louis, and \$5,000 of the \$1,000,000 loaned to the exposition by an act of Congress. Whatever sum was advanced to Maj. Hilder by those citizens, for the advancement of the interests of this State at the exposition, should be returned, with reasonable interest, by an act of this Assembly as soon as sufficient evidences of the advancements are presented to this body. It is well that Missouri is represented at this great exposition. It cannot afford to be presented there as a beggar and in a beggarly way. It is a great State and should be presented in a way becoming a great State.

#### FOREIGN LOANS.

I recommend that section 4193 of the Revised Statutes of 1879 be repealed. This section of the law adds nothing to the material wealth of the State, and has been recently the source of such an apprehension in financial circles that large amounts of money have been withdrawn, by foreign corporations, from the State, thereby seriously affecting its commercial interests.

#### EXECUTIVE MANSION.

This building is in better condition to-day than it has been in for a number of years. In order to make it a pleasant and comfortable home for the outgoing and incoming Governor a number of bills have been unavoidably made, which



should be paid. They will be presented before the proper committee. It is now one of the handsomest Executive Mansions in the United States, which has been as carefully managed and preserved by the better part of the executive office as if it had been her individual property.

#### CATTLE DISEASE.

Some legislation should be had to protect the stock interests of this State against infectious and other deadly diseases. I suggest that the Executive of the State be invested with the power, under certain emergencies, to issue his proclamation quarantining this State for a specified period against cattle and other stock from localities infected with dangerous diseases. Such legislation exists in Illinois and Kansas and possibly other surrounding States, and Missouri should be equally as vigilant in guarding its large stock interests.

#### PUBLIC HEALTH.

In pursuance of the provisions of the act of the General Assembly, I appointed seven physicians as the "State Board of Health of Missouri." The board has performed a large amount of work since its appointment, the report of which will, in due time, be laid before your honorable body. This board is composed of active and intelligent physicians, who have given their time and labor to the cause of humanity without compensation. The beneficial results from the action of the board so far surpasses in value to the State the meagre sum appropriated for such purposes that I strongly recommend an increased appropriation for the use of the board. It is thought by many wise men that this country will be visited by cholera during the next season. If those apprehensions are well founded this State should be prepared to meet this pestilence "that walketh in darkness," and is the cause of such terror to the people. No State should be without its external and internal defenses against its approach, not only upon the principle of humanity, but also



of commercial policy. I advise a readiness to defend against it. In such a contest money is no consideration. Dr. Rauch, at the National Conference of the State Boards of Health, held in St. Louis in October last, stated that the disease had cost Southern Europe this year upwards of a hundred million dollars. I appreciate the fact that there is here and there some dissatisfaction with the Board of Health, and there will be with any board, but at this time the State cannot afford to dispense with its intelligent services, while greater power should be given it to meet any extraordinary emergency that may arise. Dr. Gregory voluntarily retires from the board on the 1st of January next, which will be a great loss to it, as he commands the confidence and love of his professional brethren.

#### SUPREME COURT COMMISSION.

Since the creation of this Commission by the last General Assembly, it has done excellent work, fulfilling the expectations of the court and the friends of the respective Commissioners. Since it entered on its duties, Judge Charles A. Winslow—one of its members—died, and Judge H. Clay Ewing was appointed in his stead. Judge Winslow was an honor to his profession, the Commission and the State. The Supreme Court is still much behind in its work. I think the Commission should be continued for two years more. With the conjoint labors of the Commission and the Court of Appeals, just established at Kansas City, I think the large number of cases so long postponed, will be heard and decided within the next two years, and there will no longer be a denial of justice to those engaged in legal controversies. The hardship of these delays fall the more heavily upon those who are unable to stand the postponement, and are necessarily driven to any compromise rather than prolonged litigation. After those deferred cases are determined, then the services of the Commission can be dispensed with, leaving the appellate duties upon the courts of St. Louis, Kansas City, and the Supreme Court. It will be a day of gratifica-



tion, alike to the litigants, the lawyers and the courts when it can be said that the appellate courts are fully up in their business.

By the adoption of the last Constitutional Amendment, the St. Louis and Kansas City Courts of Appeals have jurisdiction in all cases of misdemeanor. No provision exists for the State to be represented before these courts in such cases. Many of them are quite important, involving intricate questions of law. This Assembly should cure the defect in some way, either by requiring the Attorney-General or the attorney representing the State in criminal prosecutions in the county or city into which such appeals are sent, to represent the State before the appellate courts. A reasonable compensation should be paid by the State for such labor. Some provision should also be made to pay for printing of briefs made in behalf of the State. Both should be paid from the fund set apart for the payment of criminal costs, when certified to the Auditor by the court in which the prosecution is had.

#### COURT OF APPEALS.

The amendment to the Constitution establishing the Kansas City Court of Appeals, having been adopted at the late election, it devolves upon this Assembly to enact such legislation as will make the amendment operative. Section 9 of the amendment reads as follows:

“The State shall provide a suitable court room at Kansas City in which the Kansas City Court of Appeals shall hold its sessions; also a clerk’s office and furnished offices for the judges.”

As the court is required by the amendment to commence its labors on the first Monday in March next, a bill should be passed without delay in conformity with the requirements of section 9, regulating the fees of the clerk and providing for the appointment and compensation of the necessary officers of the court, and appropriating a sufficient amount of money to supply the court and clerk’s office with all the necessary records and stationery.



As there is a lack of such text-books as the court may require in the law library at Kansas City, I recommend the appropriation of one thousand dollars to be used for the purpose of purchasing such books under the direction of the presiding judge of the court.

#### MILITIA.

I think the State should no longer neglect this branch of its strength. It may not be required to-day nor to-morrow nor next year, but the time may and will inevitably come when it will be badly needed. It was only the foolish virgins who put no oil in their lamps. The only way to upbuild and maintain a militia force is to encourage its members through reasonable appropriations for necessary and legitimate expenses. There is a commendable disposition among the young men throughout the State to enter into military organizations and to donate a reasonable portion of their time for purposes of drill and encampments, without compensation, but few of them can afford to give of their small means a sufficient amount for uniforms and outfits. This should not be expected by any liberal State. No State is safe for one day without such organizations. In this respect, the present and future are not like the past. Times have changed and so have the minds of men. There are many turbulent spirits constantly engaged in stirring or attempting to stir up strife and disobedience to law among the wage workers of the country. With credit, be it said, that up to this time, that large class of industrious and law abiding people has disregarded their reckless appeals, fully understanding that alone under good government and quiet times, do the laborers receive just compensation for their work. This disposition should be encouraged by good government and reasonable compensation; and these workers of evil should be held in subjection by the terrors of the civil law. If that is not sufficient, then by the armed forces of the State. Let the State be ready for any emergency. While I am opposed, under our system of govern-



ment, to a large standing army; believing it to be inimical to the best interests of the country, I am in favor of an adequate volunteer force, skilled in the arts of war, that may be relied upon should circumstances demand the services of armed troops. I urge upon this body to make a just and reasonable appropriation to this important object.

#### COSTS IN CRIMINAL CASES.

There was appropriated by the last General Assembly, for the payment of costs in criminal cases, in 1883-84, \$360,256.42. The basis of this appropriation was made upon that of 1881-82, without making allowance for the increased ratio of crime with the rapidly increasing population. The appropriation for 1883-84 was exhausted on the 13th of December, 1884. The increased number of prosecutions and convictions had, in the last two years, together with the payment of the board of prisoners and jurors, are sufficient justification for this large expenditure of money, the board of the prisoners and jurors being about \$80,000 in the last two years. \$400,000 should be appropriated to pay the cost in criminal cases in 1885-86. There should be no delay upon the part of the State in the payment of the legal fees due the officers of courts, jurors and witnesses. If possible, the causes of the accumulation of criminal costs should be diminished. A general complaint is heard from every part of the State, favoring in this respect a reformation of our criminal laws. Every safeguard should be given the prisoner, and every facility to be heard in his defense, but the courts should see that those rights are not abused by trivial causes presented for the sole purpose of delay. As a rule, the most guilty are the most fruitful of resources to secure continuances. In 80 per cent. of such cases the State at last is required to pay the costs of the continuances, thus imposing an unjust tax upon the industries of our people. The evil calls loudly for legislative remedy.



## EXAMINING AND VISITING COMMITTEES.

These committees are appointed by the Governor under an act of the Legislature, the former to examine into the accounts of the Auditor's and Treasurer's offices and the latter to visit the various public institutions of the State and investigate their condition, wants, success and management. The work of such committees is invaluable to the State and especially so to the General Assembly. I suggest that appropriations be made to pay these committees as soon as their work is done and they are discharged. As it is, they and their clerks have to await the passage of the general appropriation bill after their work has been completed, which is usually one or more months, and this necessitates the more needy to have their accounts discounted at enormous rates. This should not be the case. The reports of these committees for this assembly will be comprehensive, imparting such knowledge as will be essential to intelligent legislation. I commend them to your closest examination.

## FISH COMMISSION.

I call the attention of the General Assembly to this important branch of our State's wealth. The commission is composed of men of popular standing in the State, of great fidelity to this work, who serve without compensation, giving their time from a sense of duty and a devotion to the expansion of such an interest in the State. Heretofore there has been appropriated three thousand dollars for the use of the commission. The work has attained such proportions that the appropriation should be increased to five thousand dollars, and also \$2,000 for the construction of an aquarium car, in which to distribute the fish. Experience teaches that they cannot be as safely and economically delivered in any other way. The railroad managers will have the car transported without cost to the State. I submit the following, recently received from one of the members of the commission:



The work of this year is shown by the following synopsis of reports of the superintendents of the two State hatcheries, one of these hatcheries being in Forest Park, St. Louis, and the other near St. Joseph, Mo. Phil. Koppin, Jr., superintendent of the carp ponds in Forest Park, reports having supplied 451 private ponds with thirty carp each since the first day of November, 1884, to date; also 341 "spawners" and ten thousand small carp to the public waters, as follows:

Creve Coeur Lake, St. Louis county—spawners, 82; small carp, 1,000.

Meramec river, at Pacific, Franklin county—spawners, 30, small carp, 1,000.

Gasconade river, Gasconade county—spawners, 30; small carp, 1,000.

Missouri river, at Jefferson City, Cole county—spawners, 30, small carp, 1,000.

Osage river, Osage county—spawners, 30; small carp, 1,000.

Mr. Tracy, St. Louis—spawners, 6.

W. A. Long, Mound City—spawners, 6.

H. H. Bodeman, St. Louis—spawners, 18.

Big river, St. Francois county—spawners, 30; small carp, 1,000.

Black river, Butler county—spawners, 30; small carp, 2,000.

Chariton river, Chariton county—small carp, 2,000.

I. Studi, Creve Coeur Lake, St. Louis county—spawners, 15.

Leaving on hand of small carp about 50,000, and spawners, 500.

Reserving for 1885 as spawners, 450.

Retaining for this year's spawn, 300.

The spawners will average 6 to 10 pounds in weight.

The commission reports 80,000 young carp on hand, which would have been distributed in the public waters before now, had sufficient means been provided. The only means now used are tubs and cans, which renders the process of removal slow, awkward and expensive. The commission



will ask of this body an increase of appropriation to justify the commencement of the propagation of native fish, especially black bass, croppy, pike and perch—commonly called jack salmon—to open other ponds for propagation and to enlarge the old ones. It required a series of years to accomplish this work. Satisfactory results have been attained in other States engaged in such propagation. As one of the commission will say: “The great drawback to our operations is the hesitating manner in which past legislatures have granted our small appropriations. It is impossible for us to plan our work in advance for the next year without *knowing* we shall obtain money to execute such plans. Should we make expenditures beyond the amount of money on hand, expecting new appropriations for the next two years, and the Legislature should fail to make such appropriation, the commission would have to make good the deficiency from their now private purses. Of course we take such risks.”

This appeal should receive your kindly consideration.

#### CHARITIES AND CORRECTIONS.

The subject of prison management is engaging the attention and ability of the ablest prison managers and philanthropists of America. Annually a convention of that character is held in one or the other of the States. It met last October in St. Louis, and was largely attended by delegates from a large number of States. This State was very ably represented in the convention by some of its foremost men and women, and at their own expense. The subject is so important, involving in fact one of the most intricate as well as dangerous problems of the age, that the leading nations of the world have determined to hold an international convention at Rome, Italy, within the coming year. Missouri should be represented in that body by at least two representatives, to be appointed by the Governor, and an appropriation should be made to pay their reasonable expenses. The adjacent States have taken steps in that direction.



## BUREAU OF LABOR STATISTICS.

Under an act of the Legislature, approved March 23, 1883, establishing a Bureau of Labor Statistics, I appointed Hon. Henry A. Newman as commissioner of the bureau, and directed him to locate his office at Jefferson City. During the two years since his appointment he has succeeded in gathering and collecting much information which must necessarily be of great value to your honorable body and to the public at large. His annual report, which has just been submitted to me, and which will be laid before you, is replete with valuable statistics, gathered from every department of industry. The Bureau of Labor Statistics may be made, and should become, a valuable adjunct, in the efforts now engaging the attention of our wisest statesmen to discover the proper relations of labor and capital—those two great coadjutors of national existence. Its utility having been demonstrated, the Legislature should consider the matter with great care, and assist the bureau with such appropriations as may be needed to render it efficient and valuable. Your attention is called to Commissioner Newman's report, in which many questions of vital moment to the laboring classes are intelligently discussed.

## REGISTER OF LANDS.

The duties of this office have been performed by the Register and his accomplished chief clerk, with commendable industry, promptness and good judgment. The tables given show some of the important work performed in that office, in the interest of the counties and State.

ABSTRACT OF BUSINESS, OFFICE REGISTER OF LANDS, FOR  
1881 AND 1882.

## TOWNSHIP SCHOOL LAND.

No. of acres sold and patented.....	26,541.07
Cash received for same.....	\$60,620.04



## SWAMP AND OVERFLOWED LANDS.

No. of acres selected, approved and patented to the State	4,924.48
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## SWAMP LAND INDEMNITY CLAIMS.

Cash indemnity received, 1881 and 1882.....	\$20,475.67
Land indemnity received, 1881 and 1882.....	15,983.36 acres

## BUSINESS, OFFICE REGISTER OF LANDS, 1883 AND 1884.

## TOWNSHIP SCHOOL LAND.

No. of acres sold and patented, 1883 and 1884.....	26,942.73
Cash received for same.....	\$75,295.93

## SWAMP AND OVERFLOWED LANDS.

No. of acres selected, approved and patented to the State...	35,762.49
No. of acres approved but not yet patented.....	2,498.13
Aggregate.....	38,260.62

## SWAMP LAND INDEMNITY CLAIMS.

Cash indemnity received, 1883 and 1884.....	\$22,740.16
Land indemnity received.....	11,995.45 acres

In making the selections of the swamp and overflowed lands and proving up the swamp land indemnity claims, the Register of Lands visited twenty-one counties. In connection with Capt. Louis Bergau U. S. Special Agent, he made a personal examination in the field of each tract of land for which indemnity was claimed. In performing this work, including four trips to the U. S. Land Office at Springfield, Mo., and two to the Land Office at Ironton, Mo., locating indemnity certificates for the various counties, and also 1,002 acres for the State under the provisions of the internal improvement grant, the Register was employed about one-half of each month during the past two years, and traveled from 30,000 to 35,000 miles.

A large amount of swamp and overflowed land, selected and reported to the General Land Office prior to March 3, 1857, which was confirmed to the State by the act of Congress, approved March 3, 1857, has been disposed of by the United States since that date, and for which the State is



entitled to indemnity. Under existing laws the right to indemnity is limited to March 3, 1857. A bill is now pending before Congress, which has been recommended by the Commissioner of the General Land Office, giving all the States indemnity for all swamp land sold by the United States since March 3, 1857. Including these lands, as near as can be approximated, there is still due the State on unsettled indemnity claims about \$55,000 cash indemnity, and 25,000 acres of land indemnity.

#### INEBRIATE ASYLUM.

There is a strong feeling favorable to temperance prevailing over this State. The operation of the Downing law has been successful during the last year, and will be more satisfactory when certain amendments are made to it. It is believed by many that if an inebriate asylum is established, its work, in conjunction with the good results from the Downing law, will decrease intemperance largely, and will also decrease the cause of much of the crime and insanity now found in every county. Scientists assert that 25 per cent. of insanity is caused by the habitual use of intoxicants. I think this Assembly should provide an inebriate asylum at some point in the State.

#### CONCLUSION.

Having completed my official term at a most auspicious time, when peace and good government prevail in every part of the State; when we enjoy an immunity from lawlessness beyond that of other States; when the local police affairs of every county and village, and even of the great city of St. Louis, were never in a condition more profoundly satisfactory to the people; when the schools and credit of the State suffered nothing in comparison with those of the foremost of the States, I can lay aside the habiliments of office with that pride which animates a soldier who has never deserted his post or flag until victory has crowned his devotion to duty. To all the unjust criticisms which have been



aimed at me, I point to the *Missouri of today* as my only answer. Bishop Robertson spoke truthfully of Missouri in his recent address before the State Episcopal Convention, held in the city of St. Louis, when he said:

“Even at the risk of repeating what I have said before, but with an emphasis justified by a longer familiarity, which only deepens in me a sense of the truth and significance of it, I am amazed and overwhelmed by the extent and rapidity with which the State is filling up with the best class of people. Hundreds of miles of range to which I was once accustomed in many parts of the State are now all fenced up and under cultivation. Indeed there is almost no land which is at all valuable that is not enclosed. Villages have become cities with all the comforts and appliances of modern life. All parts of the State show prosperity; but perhaps it is of the western counties that the statement is more emphatically true.”

I am now conscious of having committed many errors, which I deeply regret. They were the results of mistaken conceptions of duty. It has been my earnest desire to do my whole duty to the State, and in so far as it lay in my power to give to its confiding people the most desirable of all earthly blessings—good government. If that has been done, I am content.

Adopting the words of one of the wisest Presidents this country has ever had, permit me to say:

“As the time draws nigh when I am to retire from the public service, I cannot refrain from expressing to the members of the National (State) Legislature with whom I have been brought into personal and official intercourse, my sincere appreciation of their unfailing courtesy and of their harmonious cooperation with the executive so many measures calculated to promote the best interests of the Nation, (State) and to my fellow citizens generally, I acknowledge a deep sense of obligation for the support which they have accorded me, in my administration of the Executive Department of this Government.”

THOS. T. CRITTENDEN.

JANUARY 7, 1885.



## VETO MESSAGES

## TO THE SENATE

FEBRUARY 22, 1881

*From the Journal of the Senate, pp. 257-258*

EXECUTIVE OFFICE, JEFFERSON CITY, MISSOURI, February 22, 1881.

Sir—I regret that I am compelled to return to the Senate, in which it originated, a bill entitled “An act to amend section twenty-two (22), article 1, chapter 1 of the Revised Statutes of Missouri, relating to administration,” without my approval.

Article 1 of chapter 1, relates to the appointment, qualifications and removal of executors and administrators, and the section sought to be amended by this act defines the duties of judges and clerks of probate courts in taking the bonds and examining the securities required under that chapter.

Section 22 provides that “the court, or judges or clerks in vacation, shall take special care to take, as securities, men who are solvent and sufficient, and who are not bound in too many other bonds.” How can judges and clerks carry out and make available for the protection of dead men’s estates this most salutary provision? The means are provided in the same section: “and to satisfy themselves, they may take testimony or examine on oath, the applicant, or persons offered as his securities,” and as an additional safeguard, this requirement is found in the same section: “and said bond shall be signed and executed in the presence of the court, judge or clerk, who shall certify to the same.”

I cannot conceive of a valid reason for the modification of either of these provisions. No higher duty can claim the attention of the law-maker than the enactment of such



laws as will afford the most certain protection to the property of widows and orphans. Deprived of natural protection, in a very large majority of instances, left with but meagre patrimony, a part of which must go to the court in the way of fees, the orphan ought, in confidence, to appeal to the legislator to be surrounded by all the safeguards and protection which the law can give.

It certainly can not be argued that the substitution of the word "require" for "take," and "many" for "shall" in the section as it now reads, and the addition of the provisions allowing bonds to be "signed and acknowledged before a notary public or justice of the peace," will throw any additional safeguards around the management of estates. Upon the contrary, it seems to me, that it would operate in a directly opposite direction. In my judgment notaries public and justices of the peace ought not to be endowed with plenary power to determine the proper form of a bond, or the sufficiency of the security offered. For, while the amendment does not provide for this in express terms, that would be its practical effects. These officers would not feel the importance and responsibility of such acts as a judge of court, and as a consequence the examination of securities would soon be a mere form, necessary to be gone through with, in order to obtain letters testamentary or of administration.

Judges of probate courts are elected by the people, with a special view to their fitness and fidelity, and ought to have exclusive control of matters of such vital moment to the large and helpless class which would be so seriously affected by the purposed change.

I do not see why the law as it now stands ought to be changed, and I can not give my consent to any alteration, unless I can be convinced that such alterations would afford greater protection to estates. Feeling thus, I cannot approve the bill.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.



## TO THE HOUSE OF REPRESENTATIVES

MARCH 9, 1881

*From the Journal of the House of Representatives, pp. 728-729*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, March 9, 1881.

Sir—I return to your honorable body, without my approval, House bill No. 187, entitled “An act to amend section 3894 of chapter 65 of the Revised Statutes of the State of Missouri, entitled ‘Of sheriffs and their deputies.’”

If it should become a part of the law of the State, its consequences to the business and commercial interests of the country would be productive of much more harm than good. There may be an apparent defect in the law, as it now stands, in regard to the execution of writs and the processes of the courts, but that defect is inconsiderable in results compared to the wrongs that may be perpetrated by reason of this amendment to section 3894. Few occasions will arise when such a law will be required, and these few may only be gotten up for the abuse of the law.

Under the law as it now stands, as will be seen in section 3893 of the Revised Statutes, “any person selected by the plaintiff, his agent or attorney, can serve any writ or process directed to the sheriff,” and in sections 3894 and 3895, “the coroner can serve and execute all writs and precepts when the sheriff is disqualified from acting, and when the office of sheriff is vacant by death or otherwise.” These sections are ample in my estimation to meet the requirements of society and the courts, especially so when to these is added section 1038 of the Revised Statutes, which reads as follows: “Where there is no sheriff or other ministerial officer qualified to act, or where they are interested or prejudiced, the court may appoint one or more persons to execute its process, and perform any other duty of such officer, who shall be entitled to such fees for their services in each cause as are allowed, by law, to sheriffs in like cases.”



Great care should be exercised in the execution of the writs of the courts, and only those should be selected to perform the duty who are men of unquestioned character, governed by principle and restrained from oppression by an official bond.

In the proposed amendment to section 3894 of chapter 65 of the Revised Statutes, I think, there is no assurance that such men will be selected and no authority to require "of any person who may be selected to perform" the functions of the sheriff and official bond—to compel a just performance of his duties.

Under this amendment the plaintiff and the person, "any person," as specified, may collude and combine to abuse the processes of the court for personal gain, and it being possible for both to be unworthy characters, without reputation or property, it presents to my mind a strong reason why such laxity should not be permitted to exist under the sanction of the law.

Very respectfully,

THOS. T. CRITTENDEN.

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### TO THE SENATE

MARCH 26, 1881

*From the Journal of the Senate, p. 674*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
March 26, 1881.

Sir—I return to the Senate, without my approval, Senate No. (236) two hundred and thirty-six, for the following reasons: To invest the Fund Commissioners with the power to purchase or deal in the county bonds of this State, with any money that may be in the sinking fund would, in my opinion, place a power in their hands dangerous to the credit of the State.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.



## TO THE HOUSE OF REPRESENTATIVES

MARCH 28, 1883

*From the Journal of the House of Representatives, pp. 1039-1040*

Sir—I return to the House of Representatives a bill of the following title:

“An act to amend section 1232 of article 2 of chapter 24 of the Revised Statutes of the State of Missouri concerning ‘Offenses against the lives and persons of individuals,’ ” to which I cannot give my sanction.

If by the substitution of the term “homicide” for “murder,” in the section amended, the section can be construed to mean anything more than was intended in the original act it would, in my judgment, be a dangerous innovation upon the commonly accepted definition of murder in the first degree.

Under section 1232 of the Revised Statutes of 1879, “every murder which shall be committed in the perpetration, or attempt to perpetrate any arson, rape, robbery, burglary or mayhem, shall be deemed murder in the first degree.” The amendment proposed substitutes the word “homicide” for “murder” in the above clause of that section and, therefore, instead of mitigating its vigors, makes our code more severe than the common law. There were homicides at common law committed in the perpetration or attempt to perpetrate the crimes mentioned in the above section, which were not murder. Such homicides, by this amendment, are declared to be murder and are classed as of the first degree. It would either have this effect or work no material change in the present law.

Any homicide committed in the perpetration, or attempt to perpetrate either of the felonies named in section 1232, that is, in furtherance of the purpose to commit, or as a means of committing such crime, is now murder in the first degree.



If by substituting the word "homicide" for the word "murder" in the above section, the intent is to make an accidental killing of a human being by one, which occurs while he is perpetrating or attempting to perpetrate one of the felonies named therein, but which killing is in no manner connected with the perpetration of the other crime, as a means, or in furtherance of the commission of such crime, I cannot give it my approval.

It has never been the policy in this State to add to the severity of the common laws in relation to crime and punishment. All our legislation has been in a contrary direction, and I cannot believe that the General Assembly, by the act under consideration, intended that such an accidental killing should be deemed murder of any degree.

The Supreme Court of this State has not decided that a homicide committed in furtherance of a design to perpetrate either of the felonies named in section 1232 is not murder in the first degree. Neither the Hopper nor the Earnest case—70 and 71 Mo.—advances any such doctrine. Those cases go no further in that direction than to say that there may be a homicide committed by one engaged at the time in the perpetration of either of the enumerated felonies, which, at common law, was not murder; and, therefore, not murder under that section, which was never designed to make a homicide murder, which, at common law, was but manslaughter.

With due deference to the General Assembly, I think that the act amendatory of section 1232 originated in a misconception of section 1232 and the decisions of the Supreme Court in the cases above cited.

Very respectfully,

THOS. T. CRITTENDEN.

HON. J. S. RICHARDSON, Speaker of House of Representatives.



## TO THE HOUSE OF REPRESENTATIVES

MARCH 29, 1883

*From the Journal of the House of Representatives, p. 1067*

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Sir—I return to the House of Representatives, without my approval, a bill of the following title:

“An act for the relief of Cyrus Thompson, and to appropriate money therefor.”

It is not alleged in the preamble to the bill that Cyrus Thompson was ever evicted from, or dispossessed of the land in question. This claim belongs to a class of claims which require the fullest investigation, here and elsewhere, and which are appearing in increased numbers at each session of the Legislature. The fact that these claims have not demanded an earlier adjustment, casts a suspicion upon them, in my mind, and with the meager facts before me, I am unwilling to give this bill my approval.

Very respectfully,

THOS. T. CRITTENDEN.

HON. J. S. RICHARDSON, Speaker of the House of Representatives.

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## TO THE HOUSE OF REPRESENTATIVES

MARCH 30, 1883

*From the Journal of the House of Representatives, pp. 1101-1102*

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Sir—I return to the House of Representatives, without my approval, bills of the following titles:

No. 517, entitled “An act for the relief of Alonzo Thompson, and to appropriate money therefor;”

No. 518, entitled “An act for the relief of Chas. G. Comstock, and to appropriate money therefor;”

No. 519, entitled “An act for the relief of Alonzo Thompson, and to appropriate money therefor;”



No. 520, entitled "An act for the relief of Alonzo Thompson, and to appropriate money therefor;"

No. 521, entitled "An act for the relief of Chas. G. Comstock, and to appropriate money therefor;"

No. 513, entitled "An act for the relief of D. P. Dyer, and to appropriate money therefor;"

No. 512, entitled "An act for the relief of D. P. Dyer, and to appropriate money therefor;"

No. 511, entitled "An act for the relief of Chas. G. Comstock, and to appropriate money therefor;"

No. 514, entitled "An act for the relief of D. P. Dyer, and to appropriate money therefor;"

No. 510, entitled "An act for the relief of Chas. G. Comstock, and to appropriate money therefor;"

No. 515, entitled "An act for the relief of Robt. T. Brock, and to appropriate money therefor;"

It does not appear in the preamble of either of these bills that any one of the persons for whose relief the bills were introduced has been evicted or dispossessed of any of the land in question. Claims of this character should be closely scrutinized and thoroughly investigated before being paid by the State, and such facts should be set forth, either in the preamble or bill, as would entitle the holder of the claim to the relief. I cannot think that the Legislature ever intended to provide for the payment of these claims upon the simple proof that a prior patent had been issued by the State, without reference to the question of ownership or loss. Claims of this class are increasing in number at each session of the Legislature and their payment may, in time, amount to a serious matter to the people of Missouri.

The fact they have not demanded an earlier adjustment is, of itself, a sufficient significance to suggest a more rigid examination of the merits of each particular case, than appears to have been thought necessary in the cases under consideration.

I am informed that no separate roll call was had in the House of Representatives upon the passage of bills number-



517, 518, 519, 520 and 521. The validity of laws thus acted would be questionable.

Because of my conviction that this class of claims ould receive a more thorough investigation at the hands this or some future General Assembly, I withhold my proval.

Very Respectfully,

THOS. T. CRITTENDEN.

ON. J. S. RICHARDSON, Speaker of the House of Representatives.

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### TO THE HOUSE OF REPRESENTATIVES

APRIL 2, 1883

*From the Journal of the House of Representatives, p. 1143*

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Sir—I return to the House of Representatives, without approval, bills of the following titles:

“An act for the relief of Alonzo Thompson, and to propriate money therefor;”

“An act for the relief of Edward Price, and to appropriate money therefor.”

I decline to approve these bills for the same reasons ven the House in a former message, in returning bills of similar character, providing for the payment of claims the same class.

There should be a thorough investigation of all the sts bearing upon the validity of these claims before the ate is committed to the policy of their payment. Such investigation can work no hardship either to the claimts or to the State.

Very respectfully,

THOS. T. CRITTENDEN.

ON. J. S. RICHARDSON, Speaker of the House of Representatives.



## SPECIAL MESSAGES

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TO THE SENATE

JANUARY 11, 1880

*From the Journal of Executive Business, p. 204*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 11, 1880.

Sir—I have the honor to nominate John F. Williams of Macon County as Insurance Commissioner for the term of four years from the 1st day of next March; in which appointment the Concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN, Governor.

HON. R. A. CAMPBELL, Pres't of the Senate.

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TO THE SENATE

JANUARY 12, 1881

*From the Journal of Executive Business, p. 204*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 12, 1881.

Sir—I have the honor to nominate James R. Willis of Buchanan County, as Warden of the Penitentiary for the term of four years from the 3rd Monday in January 1881; and Morgan Boland and Alexander Kincaid of the City of St. Louis as Police Commissioners within and for the City of St. Louis for the term of four years from the first day of January 1881, in which appointments the concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 12, 1881

*From the Journal of the House of Representatives, p. 78*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 12, 1881.

Sir—I have the honor to lay before you the second annual report of W. H. Hilkené, Commissioner of the Bureau of Labor Statistics.

Very respectfully,  
THOS. T. CRITTENDEN, Governor.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 18, 1881

*From the Journal of the House of Representatives, p. 144*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 18, 1881.

Sir—I have the honor to transmit to your honorable body the First Biennial Report of the State Board of Immigration of Missouri.

Very respectfully,  
THOS. T. CRITTENDEN.

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## TO THE SENATE

JANUARY 19, 1881

*From the Journal of Executive Business, pp. 206-207*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 19, 1881.

Sir—I have the honor to nominate Andrew Ellison of Adair County and A. W. Alexander of Monroe County as Regents of the Normal School of the First District for the



term of Six years from the 1st day of January 1881; and John S. Erwin of Adair County as Regent of the Normal School of the First District for a term ending January 1st 1885; and Henry C. Fike of Johnson County and Ashley W. Ewing of Cole County as regents of the Normal School of the Second District for the term of six years from the 1st day of January 1881; and Louis W. Danforth of Mississippi County and Charles C. Rozier of Ste. Genevieve County as Regents of the Normal School of the Third District for the term of six years from the 28th day of June 1881; and George T. Bartlett of Butler County and J. R. McKinney of Iron County as Regents of the Normal School of the Third District for a term ending June 28th 1885. In which appointments I request the Concurrence of the Senate.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1881

*From the Journal of the House of Representatives, p. 153*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 19, 1881.

Sir—I have the honor to lay before your honorable body a copy of a communication received by me from Hon. E. B. Washburne of the State of Illinois, proposing, in behalf of Mr. Ed. Hempstead of the city of Chicago, to present to the State of Missouri the portrait of his uncle, the Hon. Ed. Hempstead, the first delegate in Congress from the Territory of Missouri. I suggest that the Legislature take the necessary steps for its reception.

Very respectfully,

THOS. T. CRITTENDEN, Governor.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 19, 1881

*From the Journal of the House of Representatives, p. 154*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 19, 1881.

Sir—I have the honor to lay before you the twelfth biennial report of the Missouri School for the Blind, for the years 1879-1880.

Very respectfully,

THOS. T. CRITTENDEN, Governor.

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## TO THE SENATE

JANUARY 25, 1881

*From the Journal of Executive Business, p. 210*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 25, 1881.

Sir—I have the honor to nominate Willis B. Winston M. D. as physician to the Penitentiary; in which appointment the Concurrence of the Senate is requested.

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.

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## TO THE SENATE

JANUARY 25, 1881

*From the Journal of Executive Business, p. 210*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 25, 1881.

Sir—I have the honor to nominate James Rickenbaugh, Chas. A. Bailey, Phillip S. Adams, Thos. B. Nesbit and S. L. Dedman of Callaway County as managers of the



Mo. Institution for the Education of the Deaf and Dumb for the term of 4 years from March 4th 1881; also, Jackson L. Smith, of Cole County, James Carroll of Audrain County, and Wm. Harrison, Dr. John J. Brown, Dr. Edwd. M. Kerr, Dr. Achilles Wilkerson, Edwin Curd, J. C. Yantis, and John A. Hockaday of Callaway County as Managers of Lunatic Asylum No. 1 at Fulton for the term of four years from February 6th 1881. In which appointments the Concurrence of the Senate is requested.

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.

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### TO THE SENATE

JANUARY 26, 1881

*From the Journal of Executive Business, p. 213*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 26, 1881.

Sir—I have the honor to nominate Wm. M. Van Cleve of Macon County as Brigadier General of the National Guards of Missouri, for the District of North Missouri, in which appointment the Concurrence of the Senate is requested.

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.

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### TO THE SENATE

JANUARY 27, 1881

*From the Journal of Executive Business, p. 214*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 27, 1881.

Sir—I have the honor to nominate H. H. Craig and J. W. Dunlap as Police Commissioners of Kansas City for



the term of three years from February 9th 1881, in which appointments the Concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1881

*From the Journal of the House of Representatives, p. 224*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 27, 1881.

Sir—I have the honor to lay before your honorable body a communication from Hon. E. B. Washburn, designating a time for the presentation of the portrait of Hon. Edward Hempstead. I suggest that the House of Representatives and Senate take concurrent action in extending to Mr. Washburn a reception worthy alike of our State and of the distinguished gentleman who visits us.

Very respectfully,

THOS. T. CRITTENDEN.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 29, 1881

*From the Journal of the House of Representatives, p. 169*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
January 29, 1881.

Sir—I have the honor to lay before you the annual report of Petroleum Inspector of the city of Sedalia.

Very respectfully,

THOS. T. CRITTENDEN.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1881

*From the Journal of the House of Representatives, p. 246*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, January 31, 1881.

Sir—I have the honor to lay before you the first biennial report of the Fish Commission of Missouri, made in pursuance of an act approved May 3, 1879. I commend this report to the careful and serious consideration of the Legislature, as it is exhaustive of the subject and presents an itemized account of the expenditure of the appropriation made by the last General Assembly for the artificial propagation of fish and the protection of fish common to our waters. The gentlemen composing this commission deserve the thanks of the people of Missouri for their intelligence and faithfulness in carrying out the purposes of the law under which they act, and for the disinterested devotion of their time to this purpose. I recommend that the Legislature assist them by an adequate appropriation to still further and more successfully prosecute this important public enterprise.

Very respectfully,

THOS. T. CRITTENDEN.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 31, 1881

*From the Journal of the House of Representatives, p. 259*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, January 31, 1881.

Sir—I have the honor to lay before you a communication from Hon. John Sherman, Secretary of the Treasury of the United States, relating to the claim of the State of Mis-



souri against the United States Government. The vouchers referred to in Mr. Sherman's communication are now on file in the office of the State Auditor, and cannot be withdrawn to be filed in the office of the Secretary of the Treasury without further authority. I recommend the passage of a concurrent resolution by the Legislature, authorizing the Adjutant General of the State to withdraw the original vouchers from the Auditor's office, and forward them to the Secretary of the Treasury of the United States Government, must be the paymaster, in case anything is realized upon this claim, and the proper officer of the general government is entitled to those vouchers, especially since their retention by the Auditor could, in no event, benefit the State.

Very respectfully,

THOS. T. CRITTENDEN.

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### TO THE SENATE

FEBRUARY 2, 1881

*From the Journal of Executive Business, p. 215*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
February 2, 1881.

Sir—I have the honor to nominate James S. Rollins of Boone County, and C. C. Bland and A. M. Millard of Phelps County as Curators of the State University for the term of six years beginning January 1st 1881; in which appointments the concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.



*TO THE SENATE*

FEBRUARY 3, 1881

*From the Journal of Executive Business, p. 216*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
February 3, 1881.

Sir—I have the honor to nominate Wm. H. Lackland of St. Louis, as Curator for the State University for a term of 6 years from January 6th 1881.

Very Respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.

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*TO THE GENERAL ASSEMBLY*

FEBRUARY 3, 1881

*From the Journal of the House of Representatives, pp. 299-301*

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*Mr. President, Mr. Washburn, Senators and Representatives,  
Ladies and Gentlemen:*

In the name of the people of the State of Missouri, I sincerely thank the distinguished gentleman to whose splendid address we have just listened with much interest and pleasure, and I now commission him, in the name of the citizens of this commonwealth, to bear to the generous donor of this portrait our heartfelt thanks. Mr. Washburn, upon your presentation to the Senate on yesterday, it was truthfully said of you that your name and reputation belonged to our common country; but we have another and a stronger reason for reciprocating your fraternal sentiments. You come from a State from which we are only separated by a narrow stream. We proudly refer to the Mississippi as the grandest river upon the face of the earth, but its commercial importance, in which Missouri



nd Illinois are equally interested, but serves to strengthen ur feelings and to render more certain a reciprocity upon ur part of every sentiment you have uttered manifesting n interest in the welfare of our beloved State. No words f mine can convey to you or to the gentleman whom you epresent an adequate conception of our appreciation of is gift. This occasion and the address made by Mr. Washburn are important, not alone as marking an episode n the life of Missouri, but they have a historic value. Much that was never before known, save to a favored ew, is now a part of our history; and when in years to come e shall look upon the portrait of Hon. Edward Hemplead, the first delegate in Congress from the Territory f Missouri, we will, by the untarnished record of his pure fe, be incited to loftier aims and more exalted purposes. nd, sir, [To Mr. Washburn,] as the same waters which ash the shores of Illinois lave the borders of Missouri nd then meet and mingle in their onward sweep to the ulf, forming as they go a mighty artery of commerce, so ay the mutuality of good will and fraternal feelings which ow characterize the people of these sister States form a ill closer bond of union between us as we sweep onward o a common eternity. Again I thank you.

[THOS. T. CRITTENDEN]

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## TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1881

*From the Journal of the House of Representatives, pp. 464-465*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, February 18, 1881.

*Hon. Thos. P. Bashaw, Speaker House of Representatives:*

Sir—By an act of Congress, approved April 23d, 1880, was provided that an International Exhibition of arts, manufactures and products of the soil and mine, should e held in the City of New York in the year 1883, and for



that purpose a commission was created, to consist of two commissioners from each State, one from each Territory and one from the District of Columbia, together with the Commissioners named in the act.

In pursuance of the terms of this act, upon the nomination of his Excellency Governor John S. Phelps, S. Waterhouse and A. W. Doniphan were appointed Commissioners, and Wayman Crow and Thomas B. Bullene alternate Commissioners for Missouri, by the President of the United States.

The Commissioners met in the City of New York on the 10th day of August, 1880, and perfected their organization, and the Commission is now ready to co-operate with the various States and Territories in preparing for the display of the resources and products of our country.

It is the design of the Commission to exhibit within suitable buildings, erected for the purpose, not only the production of our mines and of the soil, but also specimens of our mechanical inventions and of our arts, of the intellectual achievements of our citizens, and of everything that America can furnish to illustrate the advancement of a free and independent people.

If 1776 is ever memorable for the Declaration of our National Independence, 1783 is significant as the year wherein that independence was officially recognized by Great Britain. This great event appeals to the patriotism and gratitude of every American citizen, and is worthy of commemoration. In no other way can we so impressively celebrate an event so important than by this contemplated civic display of the arts of peace and the products of honorable toil and creative genius.

The above language, borrowed from the address of the Commission, gives expression to our own views upon this important matter, and must be approved by every patriotic citizen of Missouri.



We ought not to be behind our sister States in the display of our resources.

I submit the matter to your honorable body, with the recommendation that you adopt such legislation as will enable the State to creditably display its products at the exhibition.

I have the honor to transmit herewith such information and legislation as I have in my possession for your consideration.

Very respectfully,

THOS. T. CRITTENDEN.

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## TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 1881

*From the Journal of the House of Representatives, p. 483*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 21, 1881.

Sir—I have the honor to lay before you a communication from Hon. S. Waterhouse, member from Missouri of the United States International Commission. I commend the accompanying communication to your serious attention, as it fully sets forth my views upon the magnitude and importance of the International Exhibition, to be held in the City of New York, in 1883.

Our sister States, especially those immediately surrounding us, are moving in the matter. It is a supreme moment for Missouri. You will pardon me for again suggesting to you the necessity for action upon the part of our own legislature. Such action as it may please you to take must be promptly taken, if effective.

Very respectfully,

THOS. T. CRITTENDEN.



*TO THE SENATE*

FEBRUARY 21, 1881

*From the Journal of the Senate, pp. 245-246*

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Sir—I have the honor to transmit to the Senate the accompanying official census bulletins, giving the population of the counties of Missouri.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

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*TO THE SENATE*

FEBRUARY 22, 1881

*From the Journal of Executive Business, p. 217*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
February 22, 1881.

Sir—I have the honor to nominate Henry J. Spaunhorst, of the City of St. Louis, as Commissioner of Labor Statistics for a term of two years from the first Wednesday in February 1881, in which appointment the Concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, Pres't of the Senate.



*TO THE SENATE*

FEBRUARY 25, 1881

*From the Journal of Executive Business, p. 217*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
February 25, 1881.

Sir—I have the honor to nominate Joseph O'Neil, Robert Barclay, S. Pollak, Richard M. Scruggs, and Wm. R. Lionberger of the City of St. Louis, and H. Clay McGee of Cole County, John L. Peck of Jackson County, A. Jacobs of Livingston County, and C. B. McAfee of Boone County as trustees of the Missouri School for the Deaf, for the term of four years from the 27th day of February 1881; in which appointments the Concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

J. R. A. CAMPBELL, Pres't of the Senate.

*TO THE SENATE*

FEBRUARY 25, 1881

*From the Journal of Executive Business, p. 219*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,  
February 25, 1881.

Sir—I have the honor to nominate Arthur Kirkpatrick of Buchanan County as a member of the Board of Managers of the Insane Asylum No. 2 at St. Joseph, Mo., for a term ending March 1st 1882, in which appointment the Concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

J. R. A. CAMPBELL, Pres't of the Senate.



## TO THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1881

*From the Journal of the House of Representatives, pp. 537-538*

EXECUTIVE OFFICE, CITY OF JEFFERSON, February 25, 1881.

Sir—I have the honor to lay before you a communication from Hon. John Walker to the Board of Fund Commissioners of Missouri. Mr. Walker, as a member of that board, recently visited the city of New York for the purpose of conferring with the officers of the Hannibal & St. Joseph Railroad Company in regard to the proposition of that company to discharge the full amount of what it claims is its present indebtedness to the State.

The result of Mr. Walker's conference with those officials is fully set forth in the accompanying communication.

I recommend that you adopt such legislation as will enable the Fund Commissioners to use or dispose of whatever sum, if any, may be accepted by the State from the Hannibal & St. Joseph Railroad Company.

I do not mean to say that the State will accept the sum of \$3,000,000 in complete satisfaction of the liability incurred by the State in aid of said company. I think the liability extends to the maturity of the bonds; and as the company has heretofore met its obligations to the State promptly and has thereby secured the confidence of the people of the State, who were, for many years, in doubt as to the final result of our complications with that road, I trust that it will be equally as honorable in the future, and so act as to retain the confidence which its past conduct has inspired.

In case the whole or any part of the money due from the company is accepted, its receipt ought not to find us unprepared for its prompt and profitable disposal.

Very respectfully,

THOS. T. CRITTENDEN.



## TO THE SENATE

MARCH 11, 1881

*From the Journal of Executive Business, p. 221*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, March 11, 1881.

Sir—I have the honor to nominate John A. Maxon as Police Commissioner of the City of St. Louis for a term ending January 1st, 1885. Vice Morgan Boland removed, and Samuel Cupples and E. C. Simmons as Police Commissioners of the City of St. Louis for a term ending January 1st 1883, Vice John D. Finney and Leslie Moffett removed, in which appointments the Concurrence of the Senate is requested.

Very Respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

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## TO THE HOUSE OF REPRESENTATIVES

MARCH 14, 1881

*From the Journal of the House of Representatives, p. 822*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, March 14, 1881.

Sir—In view of the fact that a casual deficiency in the revenue fund will occur, extending from June 1st to October 1st of this year, I recommend that the legislature authorize the issuance of two hundred thousand dollars of revenue bonds, bearing a rate of interest not to exceed six per cent. per annum, or authorize the fund commissioners to borrow any sum, not exceeding two hundred thousand dollars, that may be necessary to meet the emergency of this casual deficiency, for such length of time as may be necessary, not exceeding two years, and not at a greater rate of interest than six per cent. per annum.



I am inclined to think the latter proposition cheaper and as effective as the former.

The obligations of the State which mature on the 1st day of June, together with the other demands made upon the revenue fund, will absorb that fund, thereby causing a deficiency for the time mentioned. The importance of this matter will commend itself to your prompt and earnest attention.

Very respectfully,  
THOS. T. CRITTENDEN.

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### TO THE SENATE

MARCH 25, 1881

*From the Journal of the Senate, pp. 684-685*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, March 25, 1881.

Sir—I have the honor to appoint Hon. T. J. O. Morrison, upon the part of the Senate, and Representatives Anthony of Nodaway and McGinnis of St. Louis city, upon the part of the House, to constitute a committee to examine the books of the State Treasurer for the years 1877 and 1878. Said committee shall meet in the City of Jefferson on Tuesday, May 3, 1881, to begin its labors.

Very respectfully,  
THOS. T. CRITTENDEN.

HON. ROBERT A. CAMPBELL, President of the Senate.

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### TO THE SENATE

APRIL 27, 1882

*From the Journal of the Senate, pp. 11-12*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, April 27, 1882.

Sir—I have the honor to call the attention of the Legislature to the necessity for a re-apportionment of the State into Representative Districts, in conformity with the popula-



on of the various counties, as ascertained by the official census of 1880; and I recommend that the Legislature adopt such measures as may be necessary to conform the representation of the various counties in the House of Representatives to such census.

I also recommend to the Legislature the appropriation of one thousand dollars to be used in defraying the necessary expenses (other than attorney's fees) incurred by the State in its litigation with the Hannibal & St. Joseph Railroad company. I recommend that said sum be placed at the disposal of the Fund Commissioners of the State, to be used by them for the above purpose as occasion may require.

Very respectfully,

THOS. T. CRITTENDEN.

to HON. R. A. CAMPBELL, President of the Senate.

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### TO THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1883

*From the Journal of the House of Representatives, pp. 105-106*

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Sir—I have the honor to lay before you the 2d biennial report of the State Board of Immigration; the reports of the Superintendent and Board of Trustees of the Missouri School for the Blind; the report of the Register of Lands for the years 1881 and 1882; the report of the Adjutant-General for the year 1882; a supplement to the 6th annual report and the 7th annual report of the Railroad Commissioners; the 4th annual report of the Bureau of Labor Statistics; the report of the committee appointed by me under the provisions of an act of the 31st General Assembly, approved March 14, 1881, to settle with the State Auditor and Treasurer for the years 1877 and 1878; and the report of the Fish Commission for the years 1881 and 1882.

Very respectfully,

THOS. T. CRITTENDEN.

to HON. J. S. RICHARDSON, Speaker House of Representatives.



## TO THE SENATE

JANUARY 12, 1883

*From the Journal of Executive Business, p. 225*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, January 12, 1883.

Sir—I have the honor to nominate and appoint David W. Caruth to the office of Police Commissioner for the City of St. Louis for the term of four years from January 1st 1883; also, to inform you that on the 1st day of July, 1882 I appointed Daniel Kerevin to the office of Police Commissioner in the City of St. Louis, to fill a vacancy in a term ending January 1st 1885, in which appointments the Concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

To HON. R. A. CAMPBELL, Presid't of the Senate.

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## TO THE SENATE

JANUARY 16, 1883

*From the Journal of Executive Business, p. 225*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, January 16, 1883.

Sir—I have the honor to nominate and appoint Frank J. Sutz to the office of Police Commissioner for the City of St. Louis, for a term of four years from January 1st 1883, in which appointment the Concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

To HON. R. A. CAMPBELL, Pres't of the Senate.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 16, 1883

*From the Journal of the House of Representatives, p. 142*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, January 16, 1883.

Sir—As required by section 8, article 5 of the Constitution, I have the honor to transmit to you a list of reprieves, commutations and pardons granted by me for the two years ending December 31st, 1882, giving the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the commutation, pardon or reprieve, and my reasons for granting the same.

Very respectfully,

THOS. T. CRITTENDEN.

HON. J. S. RICHARDSON, Speaker of the House of Representatives.

## TO THE SENATE

JANUARY 20, 1883

*From the Journal of Executive Business, p. 226*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, January 20, 1883.

Sir—I have the honor to nominate and appoint William McLean of Johnson County, and Robert T. Railey of Cass County as members of the "Board of Regents" for Normal School District Number 2 for the term of six years from January 1st 1883, in which appointments the Concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

To HON. R. A. CAMPBELL, President of the Senate.



*TO THE SENATE*

FEBRUARY 5, 1883

*From the Journal of Executive Business, p. 227*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 5, 1883.

Sir—I have the honor to inform you that, on the 25th day of April 1881, I appointed Clarence S. Hoblitzelle Recorder of Voters within and for the City of St. Louis, for a term of four years from January 1st 1881, in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

To R. A. CAMPBELL, Pres't of the Senate.

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*TO THE SENATE*

FEBRUARY 7, 1883

*From the Journal of Executive Business, pp. 228-229*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 7, 1883.

Sir—I have the honor to appoint the following persons to the offices and for the terms respectively designated to wit: Rufus S. McDonald, Waller Young, John Doniphan, J. Malin, E. A. Donelan, A. Kirkpatrick and James C. Roberts members of the Board of Managers of State Lunatic Asylum No. 2 at St. Joseph for a term ending March 1st 1886: Ben Eli Guthrie, a member of the Board of Regents of Normal School District No. 1 for a term of six years from January 1st 1883: W. B. Wilson and Geo. B. Clarke members of the Board of Regents Normal School District No. 3 for a term of six years from January 1st 1883: J. S. Clarkson, and Jen C. Cravens, members of the Board of



Curators of the State University, for a term of six years from January 1st 1883: James E. Lincoln member of the Board of Curators of the State University, for a term of six years from January 1st 1883: James R. Estill and Wm. F. Switzler members of the Board of Curators of the State University for a term ending January 1st 1885: Thos. C. Campbell member of the Board of Regents Normal School District No. 1 for a term ending January 1st 1887: John W. Howard and Charles E. Peers members of the Board of Managers of State Lunatic Asylum No. 1 at Fulton for a term ending February 6th 1885: James McWorkman a member of the Board of Trustees of the Missouri School for the Blind for a term ending February 27th 1885 in which appointments the Concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

TO HON. R. A. CAMPBELL, Pres't of the Senate.

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TO THE SENATE

FEBRUARY 14, 1883

*From the Journal of Executive Business, p. 231*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 14, 1883.

Sir—I have the honor to nominate and appoint W. B. Hayes a member of the Board of Regents of Normal School District No 1 for a term of 6 years from January 1st 1883 in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully,

THO. T. CRITTENDEN.

TO HON. R. A. CAMPBELL, Pres't of the Senate.



*TO THE SENATE*

FEBRUARY 21, 1883

*From the Journal of Executive Business, p. 232*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, February 21, 1883.

Sir—I have the honor to nominate and appoint Norman J. Coleman as a member of the Board of Curators of the State University, for a term ending January 1st 1887, in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully,

THO. T. CRITTENDEN.

To HON. R. A. CAMPBELL, Pres't of the Senate.

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*TO THE HOUSE OF REPRESENTATIVES*

FEBRUARY 24, 1883

*From the Journal of the House of Representatives, pp. 550-552*

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Sir—It is my unpleasant duty to call the attention of the Legislature to the calamity that has befallen the State by the burning of several of the largest shops in the penitentiary in the disastrous conflagration which occurred in that institution on the 23d inst. In addition to the serious loss entailed upon the State in the destruction of the property, an additional loss will be sustained by the enforced idleness of large numbers of men who were employed in the various manufactories now necessarily suspended, and whose employment constituted a large part of the earnings of the prison.

Your earnest attention is invited to the necessity for immediate provision to rebuild these shops. Every interest, both of the State and the morals and discipline of the prison demands prompt action, nor can I too strongly urge upon



you the pressing necessity for the construction of water works and the procurement of engines and other proper appliances for the extinguishment of fire at the penitentiary.

The State cannot afford to risk so much valuable property with no protection from accidental fire or the incendiary's torch. I also suggest the necessity for such a change in our criminal laws as will prescribe severer punishment for the crime of arson, committed within the penitentiary. That the recent fire was the work of an incendiary is known. This is the second attempt that has been made to burn the penitentiary during my term of office. The former attempt, while not so disastrous in its results as this, resulted in a loss to the State of about \$35,000. The law prescribes no adequate punishment for such a crime. In my judgment, the burning of the penitentiary, or any occupied building therein, with the intention of exciting any mutiny or insurrection in the prison, or with any other lawless intent, should be made a capital crime.

Convicts who commit such crimes are generally men of the most desperate character, sentenced for life or a long number of years, who are willing to commit any crime in order to obtain their liberty.

The present law is insufficient to deter them from the perpetration of arson within the prison.

The recommendation is a severe one, but, under the circumstances, I deem it necessary, to prevent future loss to the State and greater crimes upon innocent individuals.

In my biennial message to this body the following language was used: "There is not sufficient room inside of the walls of the prison. The walls should be extended or a branch penitentiary be erected in some part of the State." I again call your attention to the importance of this matter. There is no opportunity more fitting than the present to prepare for the extension of the walls.

The State owns land on the outside of the eastern wall of the penitentiary which should be included in the prison grounds. I call your attention to the importance of making



the Governor one of the board of inspectors of the penitentiary, as he is held responsible for its management.

Very respectfully,

THOS. T. CRITTENDEN.

HON. J. S. RICHARDSON, Speaker of the House of Representatives.

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### TO THE SENATE

MARCH 2, 1883

*From the Journal of the Senate, p. 342*

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*Hon. R. A. Campbell, President of the Senate:*

Sir—I received the following telegram last night from Col. J. W. Campbell, Chief of Police, St. Louis:

“St. Louis, Mo., March 2, 1883.

*Governor Thomas T. Crittenden:*

Telegram received from J. H. Dunlap, Superintendent Gray's Iron Line, Sulphur Springs, Mo., as follows:

Riot going on here. Send force to quell it at once. We have no men to send. Have trouble with strikers in Carondelet—one officer badly beaten last night.

(Signed.)

JNO. W. CAMPBELL,  
Chief of Police.”

There being no officer of the law at Sulphur Springs, I at once sent a prudent gentlemen to that point, with such order and instructions as I deemed proper. In consequence of the action of the comptroller of the city of St. Louis in refusing to allow an adequate sum of money to pay the insufficient police force of that city, the board of Police Commissioners has been compelled to reduce the force, and fifteen officers have been dropped from the roll, within the last few days. In view of the increasing demands of that city for additional police force; in view of prospective dangers arising from mobs and in view of the fact that the citizens of the State and Territories will soon be invited to attend an exposition in our chief city, I think this General Assembly should enact such a law as will enable the police board to protect the lives and property of the people, not



only of that city, but of all who attend or participate in the exposition. The city and State will be held responsible, in public esteem, for any delinquency in this matter. If an adequate police force is maintained in St. Louis, it can be used in such an emergency as is presented in Col. Campbell's telegram, without the delay necessarily incident to the preparation and movement of a military company, and at much less cost.

At this time, I think both forces are absolutely necessary, and this Legislature should not adjourn without making provision for both. Emergencies are controlled by timely preparation.

Very respectfully,

THOS. T. CRITTENDEN.

HON. R. A. CAMPBELL, President of the Senate.

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### TO THE SENATE

MARCH 10, 1883

*From the Journal of Executive Business, p. 232*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, March 10, 1883.

Sir—I have the honor to nominate and appoint F. S. Laurence as Brigadier General of the National Guard of Missouri, in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

TO HON. R. A. CAMPBELL, Pres't of the Senate.

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### TO THE SENATE

MARCH 21, 1883

*From the Journal of Executive Business, p. 233*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, MARCH 21, 1883.

Sir—I have the honor to nominate, and appoint, as members of the Board of Regents of Lincoln Institute Normal School Jefferson City, John G. Riddler and Philip H.



White for a term of two years, Alexander Chinn and H. Clay Ewing for a term of four years, and Louis C. Krauthoff and Arnold Krekel, for a term of six years from January 1st 1883, in which appointments the concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

To HON. R. A. CAMPBELL, President of the Senate.

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TO THE SENATE

MARCH 30, 1883

*From the Journal of Executive Business, p. 234*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, March 30, 1883.

Sir—I have the honor to and appoint Wm. C. Boon as a member of the Board of Regents of Lincoln Institute Normal School Jefferson City, for a term ending January 1st 1887, vice H. Clay Ewing declined, in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully,

THO. T. CRITTENDEN.

To HON. R. A. CAMPBELL, Presd't of the Senate.

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TO THE SENATE

MARCH 30, 1883

*From the Journal of Executive Business, p. 235*

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EXECUTIVE OFFICE, CITY OF JEFFERSON, March 30, 1883.

Sir—I have the honor to nominate and appoint Charles R. Oglesby as Physician of the Penitentiary for a term ending on the third Monday in January 1885,—vice Willis B. Winston, deceased, in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully,

THO. T. CRITTENDEN.

To HON. R. A. CAMPBELL, President of the Senate.



## TO THE SENATE

JANUARY 8, 1885

*From the Journal of Executive Business, pp. 239-240*

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EXECUTIVE DEPARTMENT, STATE OF MISSOURI, January 8, 1885.

Sir—I have the honor to inform you that, since the meeting of your body, I have made the following appointments, to wit:—

April 5th 1883—Henry A. Newman to the office of Commissioner of the Bureau of Labor Statistics and Inspection, for a term ending on the first Wednesday in February 1885.

July 2nd 1883—Clarence L. Hoblitzelle to the office of Recorder of voters for St. Louis for a term ending January 1st 1887.

February 4th 1884,—Henry H. Craig to the office of Police Commissioner in Kansas City for a term ending February 9th 1887.

January 2nd 1885,—George M. Shelly to the office of Police Commissioner in Kansas City, for a term ending February 9th 1887.

July 2nd 1883,—Elisha H. Gregory (since resigned) P. D. Yost (since deceased) and Henry F. Hereford as members of the State Board of Health, for a term ending July 2nd 1887, and Wm. Conery, Geo. M. Cox, Geo. T. Bartlett and Jos. C. Hearne as members of the State Board of Health, for a term ending July 2nd 1885.

Sept. 1st 1883,—Albert Merrell as a member of the State Board of Health (Vice Yost, dec'd) for a term ending July 2nd 1887.

In which appointments the concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

TO HON. R. A. CAMPBELL. President of the Senate.



## TO THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1885

*From the Journal of the House of Representatives, pp. 77-78*

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Sir—I have the honor to transmit herewith the 6th annual report of the Bureau of Labor Statistics and Inspection; the biennial report of the Adjutant-General for the years 1883-1884; the biennial report of the Board of Trustees of the Missouri School for the Blind; a copy of the 14th biennial report of the Superintendent of the Missouri School for the Blind, and the report of the Register of lands of the State of Missouri, for the years 1883-1884.

Very respectfully,

THO. T. CRITTENDEN.

To HON. JNO. M. WOOD, Speaker House of Representatives.

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## TO THE HOUSE OF REPRESENTATIVES

JANUARY 9, 1885

*From the Journal of the House of Representatives, p. 78*

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Sir—In compliance with section 8 of article 5 of the Constitution of Missouri, I have the honor to transmit herewith a list of the reprieves, commutations and pardons granted by me since my report made to the 32rd General Assembly.

These reprieves, commutations and pardons have been granted upon the request of the officials engaged in the trial of the cases, or upon the petition of reputable citizens, conversant with the facts in the respective cases, and always upon my own conviction, from the facts presented to me, that executive clemency ought to be exercised.

Very respectfully,

THO. T. CRITTENDEN.

To HON. JNO. M. WOOD, Speaker House of Representatives.



## TO THE SENATE

JANUARY 9, 1885

*From the Journal of Executive Business, p. 239*

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CITY OF JEFFERSON, January 9, 1885.

Sir—I have the honor to inform you that I have appointed A. W. Rogers and John E. Ryland as Regents of Normal School District No. 2. at Warrensburg.

Jno. S. Erwin and Joseph M. McKimm as Regents of Normal School District No. 1 at Kirkville.

Geo. T. Bartlett and J. R. McKinney as Regents of Normal School District No. 3 at Cape Girardeau, all for the term of six years from the 1st day of January, 1885, in which appointments the concurrence of the Senate is respectfully requested.

Very Respectfully,

THOS. T. CRITTENDEN.

To HON. R. A. CAMPBELL, President of the Senate.

## TO THE SENATE

JANUARY 10, 1885

*From the Journal of Executive Business, p. 243*

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EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, January 10, 1885.

Sir—I have the honor to inform you that I have appointed Hon. D. C. Allen as Curator of the State University to fill the unexpired term of James E. Lincoln, in which appointment the concurrence of the Senate is respectfully requested.

Very Respectfully.

THOS. T. CRITTENDEN.

To HON. R. A. CAMPBELL, President of the Senate.



## PROCLAMATIONS

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OFFERING A REWARD

FEBRUARY 7, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 307*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—John Humphreys and John Wilson stand charged by indictment with the murder of John W. Anderson on the 25th day of August 1875, in the county of Newton, and have fled from justice and cannot be arrested by ordinary process of law, NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars each for the arrest and delivery of said John Humphreys and John Wilson to the sheriff of said county of Newton, at the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 7th day of February A. D. 1881.

THOS T. CRITTENDEN.

By the Governor

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

FEBRUARY 7, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 308*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS John Felker was at the October term 1880 of the circuit court of Maries county convicted of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said John Felker by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the City of Jefferson this seventh day of February AD. Eighteen hundred and Eighty-one.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

FEBRUARY 7, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 309*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Philip Gross was at divers times, between the year eighteen hundred and sixty five and the first day of January eighteen hundred and eighty one, by the circuit



and criminal courts of Johnson county, convicted of violations of the dram shop law, and thereby became disqualified to obtain a license to keep a dram shop within this state. NOW THEREFORE I, Thomas T. Crittenden Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Philip Gross by reason of such convictions.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this seventh day of February A. D. Eighteen hundred and Eighty one.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

FEBRUARY 18, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 315*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, W. Carroll Massey stands charged by affidavit with the murder of W. J. Tipton in the county of Ripley on the 28th day of January, 1881, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thos. T. Crittenden, Governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said W. Carroll Massey to the sheriff of Ripley county at the county seat thereof at any time within six months from the date of these presents.



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of  
Jefferson this 18th day of February A. D. 1881.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

FEBRUARY 18, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 316*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS John Wallace was heretofore convicted in the circuit court of Washington county of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient appearing do hereby remove the disabilities imposed on the said John Wallace by reason of such conviction and declare the said Wallace, so far as said conviction is concerned, is as fully entitled as ever he was to be licensed to keep a dram shop.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 18th day of February A. D.  
eighteen hundred and eighty-one.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



**OFFERING A REWARD**

FEBRUARY 23, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 319*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, E. W. Benham stands charged by affidavit with the murder of William Clem in the county of Bates on the third day of February 1881, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said E. W. Benham to the sheriff of said county of Bates at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 23rd day of February A. D. 1881.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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**ON REMOVAL OF DISABILITIES**

MARCH 10, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 329*

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*State of Missouri, To all who shall see these presents—Greeting:*

WHEREAS William A. Harper was, heretofore, convicted in the circuit court of Stoddard county and sentenced by said court to imprisonment in the penitentiary of this state for a term of two years for the crime of assault with intent



to kill and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, profit of trust within said state.

NOW THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said William A. Harper by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this Tenth day of March AD. Eighteen hundred and eighty one.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

MARCH 15, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 334*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Mathew Bowman and Joseph Bowman stand charged by indictment with the murder of John Chandler in the county of Dent on August 1880 and have fled from justice, and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars each for the arrest and delivery of said Mathew Bowman and Joseph Bowman to the sheriff of said county of Dent at the county seat thereof at any time within one year from the date of these presents.



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 15th day of March A. D. 1881.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

APRIL 14, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 347*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Matt Evans stands charged by affidavit with the murder of one Brooks in the county of McDonald on the fourth day of April 1881, and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Matt Evans to the sheriff of said county of McDonald at Pineville the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 14th day of April AD. 1881.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State.



## OFFERING A REWARD

APRIL 23, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 354*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS W. T. Hoffman stands charged by affidavit with the crime of felonious assault in the county of Stoddard and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of one hundred and fifty dollars for the arrest and delivery of said W. T. Hoffman to the sheriff of said county of Stoddard at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this 23rd day of April, A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

MAY 5, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 359*

*The State of Missouri, To all who shall see these presents—  
Greeting: .*

WHEREAS F. C. Nitsche was at the October term 1880 of the circuit court of Shelby county convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state.



NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove disabilities imposed on the said F. C. Nitsche by reason of such conviction.

In Testimony Whereof I have herunto set my hand and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at the City of Jefferson this fifth day of May A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

MAY 5, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 360*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Valentine alias Volley Walker stands charged by affidavit with the murder of James Williams in the county of St. Louis on the 25th day of April 1881, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two Hundred dollars for the arrest and delivery of said Valentine alias Volley Walker to the sheriff of said county of St. Louis at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 5th day of May A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## MAKING KNOWN THE SENATORIAL DISTRICTS

MAY 9, 1881

*From the Register of Civil Proceedings, 1879-1882, pp. 362-364*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS the Thirty-first General Assembly of the state of Missouri, which met on the 5th day of January AD. 1881, this being the first session of the general assembly after the decennial census of the United States for 1880, adjourned without having revised and adjusted the apportionment of the state for senators and into senatorial districts as required by the constitution of this state: And it is provided that if at any time or from any cause the said general assembly fail or refuse to district the state as aforesaid, the Governor, secretary of state and attorney general shall as required by the constitution and in the manner and within the time prescribed in section seven, article four thereof perform said duty and—Whereas the governor, secretary of state and attorney general met within the time specified in said section and performed said duty of districting the state for Senators and into senatorial districts and have as required by said section filed in the office of the secretary of state a full statement of the district formed by them including the names of the counties embraced in each and the numbers thereof.

NOW THEREFORE I—Thomas T. Crittenden, Governor of the State of Missouri hereby Proclaim and Make Known—the senatorial districts of this state their numbers and the counties embraced therein so apportioned, districted, numbered and certified as aforesaid to be as follows:

The First (Senatorial) district shall be composed of the counties of Atchison, Holt and Nodaway

The Second district—the counties of Buchanan and Andrew

The Third district—the counties of Clay, Clinton and Platte



The Fourth district—the counties of Daviess, DeKalb, Gentry, Harrison and Worth

The Fifth district—the counties of Livingston, Grundy, Mercer and Putnam

The Sixth district—the counties of Chariton, Linn and Sullivan

The Seventh district—the counties of Randolph, Macon, Adair and Schuyler

The Eighth district—the counties of Carroll, Caldwell, and Ray

The Ninth district—the counties of Boone and Howard

The Tenth district—the counties of Callaway, Montgomery, Warren and St. Charles

The Eleventh district—the counties of Audrain, Pike and Lincoln

The Twelfth district—the counties of Clark, Knox, Lewis and Scotland

The Thirteenth district—the counties of Marion, Monroe, Ralls and Shelby.

The Fourteenth district—the counties of Cole, Cooper, Maries, Miller, Moniteau and Morgan

The Fifteenth district—the counties of Saline, Pettis, Benton and Camden.

The Sixteenth district—the counties of Bates, Cass and Henry

The Seventeenth district—the counties of Lafayette and Johnson

The Eighteenth district—the counties of Newton, McDonald, Lawrence, Barry and Stone

The Nineteenth district—the counties of Greene, Webster, Christian, Douglas, Ozark and Taney

The Twentieth district—the counties of Dade, Dallas, Cedar, Polk, Hickory and St. Clair.

The Twenty first district—the counties of Franklin, Crawford, Gasconade and Osage

The Twenty second district—the counties Phelps, Pulaski, Laclede, Dent, Shannon, Howell, Texas and Wright



The Twenty third district—the counties of Scott, Stoddard, Mississippi, New Madrid, Dunklin and Pemiscot

The Twenty fourth district—the counties of Iron, Madison, Butler, Carter, Oregon, Reynolds, Ripley and Wayne

The Twenty fifth district—the counties of Jefferson, St. Louis and Washington.

The Twenty sixth district—the counties of Cape Girardeau, Ste. Genevieve, St. Francois, Bollinger and Perry

The Twenty seventh district—the county of Jackson

The Twenty eighth district—the counties of Vernon, Barton and Jasper and the Twenty-ninth district, the Thirtieth district, the Thirty-first district—the Thirty second district the Thirty third district—and the Thirty fourth district—the City of Saint Louis to be subdivided as required by sec. 6, art. IV of the Constitution.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the Great Seal  
(Seal) of the State of Missouri. Done at the City of  
Jefferson this ninth day of May A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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## ON REMOVAL OF DISABILITIES

MAY 26, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 372*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Peter Jerman was at the December term 1880, of the circuit court of Henry county convicted of selling liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state.



NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Peter Jerman by reason of such conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 26th day of May AD. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

JUNE 13, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 378*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS James Sherfield is charged with having committed the crime of murder in the county of Mississippi on the second day of June 1881, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two Hundred dollars for the arrest and delivery of said James Sherfield to the sheriff of said county of Mississippi at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 13th day of June A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*SUSPENDING AN EXECUTION*

JUNE 24, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 384*

*To all who shall see these presents—Greeting:*

Know ye that by virtue of authority in me vested by law, and for good and sufficient reasons appearing I, Thomas T. Crittenden, governor of the state of Missouri, do hereby suspend the sentence and execution of Charles E. Talbott and Albert P. Talbott, until Friday the twenty-second day of July eighteen hundred and eighty one, who were—by the judgment of the circuit court of Nodaway county at its November eighteen hundred and eighty adjourned term held in January eighteen hundred and eighty one sentenced to be hanged.

And you the sheriff of said Nodaway County are hereby directed and commanded to carry out and execute the said judgment and sentence of said circuit court upon the said Charles E. Talbott and Albert P. Talbott on the said twenty second day of July Eighteen hundred and Eighty one in manner and form as therein set forth in every and all respects as you would and should have done if this suspension had not been made and this extension of time given.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the City  
of Jefferson this 24th day of June AD. 1881.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

JUNE 25, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 385*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Taylor Underwood is charged with the murder of J. D. McElrath in the county of Dade on the 20th day of June 1881, and has fled from justice and cannot be arrested by ordinary process of law NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred dollars for the arrest and delivery of said Taylor Underwood to the sheriff of said county of Dade at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the city of Jefferson this 25th day of June A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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*OFFERING A REWARD*

JULY 2, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 392*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John McSorley stands charged by indictment with the crime of burglary and larceny in the county of Cole and has fled from justice and cannot be arrested by ordinary process of law:



*SUSPENDING AN EXECUTION*

JUNE 24, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 384*

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*To all who shall see these presents—Greeting:*

Know ye that by virtue of authority in me vested by law, and for good and sufficient reasons appearing I, Thomas T. Crittenden, governor of the state of Missouri, do hereby suspend the sentence and execution of Charles E. Talbott and Albert P. Talbott, until Friday the twenty-second day of July eighteen hundred and eighty one, who were—by the judgment of the circuit court of Nodaway county at its November eighteen hundred and eighty adjourned term held in January eighteen hundred and eighty one sentenced to be hanged.

And you the sheriff of said Nodaway County are hereby directed and commanded to carry out and execute the said judgment and sentence of said circuit court upon the said Charles E. Talbott and Albert P. Talbott on the said twenty second day of July Eighteen hundred and Eighty one in manner and form as therein set forth in every and all respects as you would and should have done if this suspension had not been made and this extension of time given.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 24th day of June AD. 1881.

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

JULY 22, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 401*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Emmet Jones is charged with the murder of Antoine Valle in the City of St. Louis on the 16th day of July 1881, and has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest of said Emmet Jones and his delivery to the sheriff of said city at any time within one year from the date of these presents.

In Testimony Whereof—I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 22nd day of July AD. 1881.

By the Governor: THO. T. CRITTENDEN.  
MICH'L K. McGRATH, Secretary of State.

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*OFFERING A REWARD*

JULY 28, 1881

*From the Register of Civil Proceedings, 1879-1882, pp. 404-405*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me as the governor of the State of Missouri, that certain parties, whose names are to me unknown, have confederated and banded themselves together for the purpose of committing robberies and other depredations within this state; and



WHEREAS said parties did on or about the Eighth day of October 1879, stop a train near Glendale in the county of Jackson in said state and with force and violence take, steal and carry away the money and other express matter being carried thereon, and

WHEREAS, on the 15th day of July 1881, said parties and their confederates did stop a train upon the line of the Chicago Rock Island and Pacific Railway Company, near Winston in the county of Daviess in said state, and with force and violence take, steal and carry away the money and other express matter being carried thereon: and

WHEREAS—in perpetration of the robbery last aforesaid, the parties engaged therein did kill and murder one William Westfall the conductor of the train aforesaid, together with one John McCulloch who was at the time in the employ of said company then on said train: and

WHEREAS—Frank James and Jesse W. James stand indicted in the circuit court of Daviess county in the state aforesaid for the murder of John W. Sheets: and

WHEREAS—the parties engaged in the robberies and murders aforesaid, and each of them, have fled from justice and have absconded and secreted themselves:

NOW THEREFORE, in consideration of the premises, and in lieu of all other rewards heretofore offered for the arrest or conviction of the parties aforesaid or either of them by any person or corporation I, Thomas T. Crittenden, governor of the state of Missouri do hereby offer a reward of Five thousand dollars (\$5000.00) for the arrest and conviction of each person participating in either of the robberies or murders aforesaid, excepting the said Frank James and Jesse W. James; and for the arrest and delivery of said Frank James and Jesse W. James, and each or either of them to the sheriff of said Daviess county I hereby offer a reward of Five Thousand dollars (\$5000.) and for the conviction of either of the parties last aforesaid of participation in either of the murders or robberies above mentioned, I hereby offer a further reward of Five Thousand Dollars (\$5000).



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this twenty eight day of July A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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OFFERING A REWARD

JULY 29, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 406*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Charles Moore stands charged by indictment in the county of Cass in the state of Missouri, with the murder of James W. Donovan which indictment is now pending in the county of Johnson in said state by reason of change of venue: And WHEREAS the said Charles Moore did on the 25th day of July 1881, break jail and escape from the county jail of Pettis county at Sedalia in said state, where he had been confined for safe keeping, and has fled from justice and cannot be arrested by ordinary process of law Now THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest of said Charles Moore and his delivery to the sheriff of said county of Johnson, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the City of Jefferson this 29th day of July AD. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

AUGUST 19, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 417*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS George Bohannon is charged with the murder of William Light in the county of Phelps on August 15th 1881 and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE I, Thomas T. Crittenden governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of one hundred and fifty dollars for the arrest and delivery of said George Bohannon to the sheriff of said county of Phelps at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
(Seal) hand and caused to be affixed the great seal of  
the State of Missouri. Done at the City of  
Jefferson this 19th day of August A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

*OFFERING A REWARD*

AUGUST 30, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 422*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on the 25th day of August 1881, a band of armed robbers whose names to me are all unknown attacked and robbed the passengers in an omnibus between Lexington Lafayette



county Missouri and the Richmond and Lexington junction in Ray county Missouri, and WHEREAS the said robbers have fled from justice and cannot be arrested by ordinary criminal process.

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the apprehension and conviction of each of the persons engaged in said robbery, said persons to be delivered to the sheriff of said county of Ray at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the City of Jefferson this Thirtieth day of August AD. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

SEPTEMBER 20, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 430*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Asa Hooten stands charged by indictment with the murder of George Wright in the county of Chariton on the sixth day of August 1881, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said Asa Hooten to the sheriff of said county



of Chariton at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 20th day of September A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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ON MEMORIAL SERVICES FOR PRESIDENT  
GARFIELD.

SEPTEMBER 21, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 432*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

In view of the terrible affliction which in the providence of God has fallen upon the nation in the death of James A. Garfield, president of the United States, it is proper that we as a christian people should acknowledge our dependence upon God and implore the divine blessing upon our country

Therefore I, Thomas T. Crittenden, governor of the state of Missouri do hereby set apart Monday September 26th 1881, as a day of humiliation and prayer and I request that the people abstain from their accustomed vocations on that day and that all public offices and private business houses be closed and that the people assemble at their usual places of worship, at the hour of two o'clock P. M. of that day, that being the hour announced for the sepulture of the late president, and unite in memorial services and in devout prayer to Almighty God to deliver the nation from the consummation of the plans of the wicked, and save it from a repetition of the atrocious crime which a second time in our country's history has stricken down the chief



magistrate, filled the hearts of the people, with sorrow and excited the horror of the civilized world.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 21st day of September AD 1881.  
THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

SEPTEMBER 24, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 434*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on the 4th day of September 1881, in the county of Cole, Dr Montezuma Hemstreet was murdered on the highway by persons to me unknown, And WHEREAS said persons have fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of one hundred dollars for the arrest and delivery of said persons to the sheriff of Cole county at Jefferson City, at any time within one year from the date of these presents, and a further reward of fifty dollars payable when said persons are convicted.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
the state of Missouri. Done at the City of  
Jefferson this 24th day of September AD 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## OFFERING A REWARD

OCTOBER 10, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 439*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Lewis Minick stands charged by indictment with the murder of James Maupin in the county of Chariton, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One Hundred and fifty dollars for the arrest and delivery of said Minick to the sheriff of Chariton county at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri Done at the City of Jefferson this 10th day of October A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## OFFERING A REWARD

OCTOBER 15, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 443*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that James C. Atkinson and Appleton Atkinson, convicted of murder in the county of Pemiscot have escaped from the jail of said



county and have fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars each for the arrest and delivery of said James C. Atkinson and Appleton Atkinson to the sheriff of said county of Pemiscot, at Gayoso the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this 15th day of October AD. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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## ON THANKSGIVING

NOVEMBER 9, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 454*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, in obedience to a time honored custom of the American people, the President of the United States has named a day when all the people shall abstain from secular pursuits and return their thanks and praise to the Allwise source of every good for the mercy which has protected and the bounty which has sustained us during the past year.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, do hereby set apart Thursday November 24th 1881, as a day of Thanksgiving and prayer, and I recommend that all public offices be closed and that the people abstain from their accustomed vocations on that day, and assemble at their usual places of worship



and engage in such devotional and thanksgiving services as to them may seem appropriate and invoke a continuance of that Infinite Goodness and mercy which has so signally guided and blessed us in time past.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the state of Missouri. Done at the City of Jefferson this ninth day of November A. D. 1881.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

NOVEMBER 21, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 460*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that James R. Finney was on the 22nd day of October 1881, in the county of Buchanan, assassinated by some person or persons to me unknown, and that they have fled from justice and cannot be arrested by ordinary process of law:

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One Hundred and fifty dollars for the arrest of said person or persons and their delivery to the sheriff of Buchanan county at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri—Done at the City of Jefferson this 21st day of November AD. 1881.

THOMAS T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

DECEMBER 17, 1881

*From the Register of Civil Proceedings, 1879-1882, p. 474*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Thomas M. Stark was, at the April term eighteen hundred and eighty of the circuit court of Bates county, sentenced to imprisonment in the penitentiary of this state for the term of two years for the crime of felonious assault, and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor profit or trust within this state. NOW THEREFORE—I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing, do hereby remove the aforesaid disabilities imposed on the said Thomas M. Stark by reason of such conviction.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the Great Seal  
(Seal) of the state of Missouri Done at the City of  
Jefferson this seventeenth day of December A.  
D. Eighteen hundred and eighty one.

THO. T. CRITTENDEN.

By the Governor

MICH'L K. McGRATH, Secretary of State.

ON DECLARING CERTAIN COMMISSIONS  
VACATED

JANUARY 6, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 483*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested I, Thomas T. Crittenden, Governor of the State of Missouri, hereby



declare vacated, from and after the First day of February eighteen hundred and eighty two the commissions heretofore issued to William M. Thomas of the City and State of New York and James H. Frush of Muttnomah county, State of Oregon as commissioners of deeds for the State of Missouri, they having failed to duly qualify as such commissioners as required by section 641 of the revised statutes of the State of Missouri of 1879.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this sixth day of January AD. eighteen hundred and eighty two.

THOS. T. CRITTENDEN.

By the Governor

MICH'L D. McGRATH, Secretary of State.

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## ON REMOVAL OF DISABILITIES

JANUARY 17, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 490*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Charles Flowers was at the April term 1878 of the circuit court of Polk county, convicted of grand larceny and sentenced by said court to imprisonment in the penitentiary of this state for a term of two years, and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold office of honor, profit or trust within said state—NOW THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Charles Flowers by reason of such conviction



In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri Done at the City of Jefferson this seventeenth day of January AD 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

FEBRUARY 25, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 513*

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*The State of Missouri, To all who shall see these presents, Greeting:*

Know ye that WHEREAS Alfred Hertz was, by the judgment of the criminal court of Jackson county at its February term 1880, sentenced to imprisonment in the penitentiary of this state for the term of two years for the crime of embezzlement; and was discharged from his said imprisonment on the 9th day of September 1881,

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue and authority of law and for good and sufficient reasons appearing do hereby remove all disabilities imposed upon the said Alfred Hertz by reason of the aforesaid conviction.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri Done at the City of Jefferson this 25th day of February in the year of our Lord One thousand Eight hundred and Eighty-two, of the independence of the United States the 106th and of the State of Missouri the sixth second.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

FEBRUARY 28, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 515*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS A. R. Moore, stands charged by affidavit with the crime of grand larceny in the county of Bates, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest, conviction and delivery of said A. R. Moore to the sheriff of said county of Bates, at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 28th day of February A. D. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

*OFFERING A REWARD*

MARCH 1, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 516*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Campbell Engle stands charged by indictment with the murder of Edward G. Godsey in the county of Nodaway and has fled from justice and cannot be arrested by ordinary process of law.



NOW THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two Hundred dollars for the arrest and delivery of said Campbell Engle to the sheriff of said county of Nodaway, at the county seat thereof at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal  
(Seal) of the state of Missouri. Done at the City of Jefferson this first day of March AD 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

MARCH 1, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 517*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that—WHEREAS James C. Byers was by the judgment of the circuit court of Franklin county at its May term 1874, sentenced to imprisonment in the county jail of said Franklin county for a term of ten days for the crime of petit larceny, and was discharged from his said imprisonment on the thirty first day of May eighteen hundred and seventy four,

NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue and authority of law, and for good and sufficient reasons appearing, do hereby remove all disabilities imposed upon the said James C. Byers by reason of the conviction aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of



(Seal) the State of Missouri—Done at the City of Jefferson this first day of March in the year of Our Lord one thousand eight hundred and Eighty-two, of the Independence of the United States the One hundred and sixth and of the State of Missouri the sixty second.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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CALLING A SPECIAL SESSION OF THE GENERAL ASSEMBLY

MARCH 27, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 535*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested by the constitution of the state of Missouri, I, Thomas T. Crittenden, governor of the state of Missouri, do hereby convene the Thirty first General Assembly of the state of Missouri in special session, and I do hereby call upon the Senators and Representatives of the general assembly aforesaid to meet in their respective places in the Capitol in the City of Jefferson at the hour of 2 o'clock p. m., on Wednesday the nineteenth day of April A. D. 1882 for the following purposes:

To apportion the state into fourteen Congressional districts and provide for the election of representatives therein.

To make appropriation for the expenses of this special session of the General Assembly.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 27th day of March AD. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.



*OFFERING A REWARD*

MARCH 30, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 538*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, William G. Fox stands charged by indictment with the murder of Charles Johns in the county of Stoddard, and has fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two Hundred Dollars for the arrest and delivery of said William G. Fox to the sheriff of said county of Stoddard at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this 30th day of March AD. 1882

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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*OFFERING A REWARD*

APRIL 1, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 540*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Hugh McMahan stands charged by indictment with the murder of James Barker in the county of Stoddard, and has fled from justice and cannot be arrested by ordinary process of law,



NOW THEREFORE, I Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said Hugh McMahan to the sheriff of said county of Stoddard at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this 1st day of April A. D. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

APRIL 7, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 543*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS Joseph D. Keebaugh was at the April term AD 1877 of the Howard county circuit court convicted of forgery and sentenced to the penitentiary of this state and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election or to hold any office of honor, profit or trust within said state and the said Joseph D. Keebaugh having been discharged from his said imprisonment.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Joseph D. Keebaugh by reason of such conviction and judgment.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the state of Missouri. Done at the City of Jefferson this seventh day of April in the year of Our Lord One thousand eight hundred and Eighty two, of the independence of the United States the One hundred and sixth, and of the State of Missouri the sixty second

THOS. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

JUNE 30, 1882

*From the Register of Civil Proceedings, 1879-1882, pp. 584-585*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS George W. Birdsong stands charged by indictment with the crime of rape in the county of Moniteau and has fled from justice and cannot be arrested by ordinary process of law. Now THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of two hundred and fifty dollars for the arrest and delivery of said George W. Birdsong to the sheriff of said county of Moniteau at the county seat thereof at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri Done at the City of Jefferson this 30th day of June AD. 1882

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*OFFERING A REWARD*

JUNE 30, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 585*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Howard Adams stands charged by indictment with the crime of rape in the county of Moniteau and has fled from justice and cannot be arrested by ordinary process of law

NOW THEREFORE I, Thomas T. Crittenden governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Howard Adams to the sheriff of said county of Moniteau at the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this 30th day of June A. D. 1882

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

*OFFERING A REWARD*

JULY 3, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 587*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Marion A. Holly stands charged by indictment with the murder of John Pierce in the county of Pemiscot and has fled from justice and cannot be arrested by ordinary process of law NOW THEREFORE I, Thomas T.



Crittenden Governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said Marion A. Holly to the sheriff of said county at Gayoso, the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri Done at the City of Jefferson this 3rd day of July AD 1882

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

JULY 10, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 591*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Taylor Starks, and a party whose name is to me unknown, stand charged with the murder of Charles Edmonson in the county of Newton on the 17 day of June 1882, and have fled from justice and cannot be arrested by ordinary process of law—Now THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars each for the arrest and delivery of said Taylor Starks and said unknown party to the sheriff of said county of Newton at Neosho the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this 10th day of July AD 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



**OFFERING A REWARD**

JULY 22, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 597*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS James H. Lewis, and George Lewis are charged with the crime of highway robbery in the county of Barton and have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars each for the arrest and conviction of said James H. Lewis and George Lewis at any time within two years from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 22nd day of July A. D. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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**OFFERING A REWARD**

AUGUST 7, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 605*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Jonathan Lawless stands charged with the murder of James English in the county of Platte and State of Missouri, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested



and for good and sufficient reasons appearing, do hereby offer a reward of One Hundred and fifty dollars for the arrest and delivery of said Jonathan Lawless to the sheriff of said county of Platte, at Platte City the county seat thereof, at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at the City of Jefferson this seventh day of August AD 1882

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

AUGUST 8, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 606*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John Williams stands charged by indictment in the circuit court of St. Francois county with the murder of Mathew Kinney in the county aforesaid on the 3rd day of December 1871, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said John Williams to the sheriff of said county of St. Francois, at Farmington, at any time within one year from the date hereof.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of Jefferson this Eighth day of August AD 1882

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## REMOVAL OF DISABILITIES

AUGUST 21, 1882

*From the Register of Civil Proceedings, 1879-1882, pp. 610-611*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS John Burns was at the May term 1881 of the Criminal Court of Pettis county convicted of the crime of assault with attempt to kill and sentenced to imprisonment in the county jail of said Pettis county of this state, and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election, or to hold any office of honor, profit or trust within said state, and the said John Burns having been discharged from his said imprisonment, NOW THEREFORE I, Thomas T. Crittenden governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said John Burns by reason of the conviction and judgment aforesaid

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the City of Jefferson this twenty first day of August in the year of Our Lord One thousand eight hundred and eighty two, of the independence of the United States the one hundred and seventh, and of the State of Missouri the sixth third.

THO. T. CRITTENDEN.

By the Governor:

MICHAEL K. McGRATH, Secretary of State.



## ON DECLARING A COMMISSION VACATED

SEPTEMBER 5, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 619*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested I, Thomas T. Crittenden, Governor of the State of Missouri, hereby declare vacated, from and after the first day of October 1882, the commission heretofore issued to Edward Taussig of the city of London, England, as commissioner of deeds for the state of Missouri, he having failed to qualify as such commissioner as required by section 641 of the Revised Statutes of the State of Missouri 1879.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this fifth day of September A. D. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## OFFERING A REWARD

SEPTEMBER 18, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 625*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that William Beavers, who was on the 8th day of August 1882 in the circuit court of McDonald county, convicted of the crime of burglary and larceny and sentenced to five years imprisonment in the penitentiary, has escaped from the sheriff of said county and cannot be arrested by ordinary process of law—



NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One Hundred and fifty dollars for the arrest and delivery of said William Beavers to the sheriff of said county of McDonald at Pineville the county seat thereof at any time within one year from the date hereof.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the City of Jefferson this 18th day of September A. D. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

OCTOBER 3, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 2*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS William Carter stands charged by indictment with the murder of Jesse L. Fowler in the county of Jasper and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said William Carter to the sheriff of said county of Jasper at the county seat thereof at any time within one year from the date of these presents.



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri Done at the City of  
Jefferson this 3rd day of October A. D. 1882

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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ON REVOKING THE PROCLAMATION OF  
JULY 28, 1881

OCTOBER 7, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 6*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—on the twenty eighth day of July AD. 1881, I, as governor of the state of Missouri, did issue a proclamation offering certain rewards therein specified for the arrest and conviction of certain express and train robbers. Now by virtue of the power in me vested as governor aforesaid I do hereby revoke and annul from and after this date said proclamation and declare the offer of said rewards to be no longer in force, for the reason that the principal actors in, and perpetrators of the crimes therein mentioned, are dead or are in the custody of the law of the state.

I congratulate the people of Missouri on the restoration of peace and the supremacy of the law over the entire state, the result of the efficiency of the various officers of the law who have contributed to this happy end.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri Done at the City of  
Jefferson this 7th day of October AD. 1882.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State



## ON THE DEATH OF WILLARD P. HALL

NOVEMBER 6, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 17*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—we have learned with profound sorrow of the death of the Honorable Willard P. Hall, a former governor of this state, who departed this life at his home in St. Joseph on Friday the third day of November, instant: Now THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested do hereby direct that business be suspended in the several departments of state today at 12 o'clock noon, and that they remain closed during the day, as a token of respect to the memory of this distinguished statesman, patriot, jurist and citizen.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri Done at the City of Jefferson this sixth day of November A. D. 1882

THO. T. CRITTENDEN

By the Governor: -

MICH'L K. MCGRATH, Secretary of State

## ON THANKSGIVING

NOVEMBER 6, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 18*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS the President of the United States has set apart Thursday November thirtieth as a day of thanksgiving and prayer; and

WHEREAS it is meet and proper that the people of Missouri should unite in a general observance of that day



NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, do hereby set apart the day designated by the president of the United States as a day of Thanksgiving for the manifold blessings vouchsafed by Almighty God to the people of Missouri, and of prayer for a continuation of the Divine favor, and I recommend that all public offices be closed, and that the people abstain from their customary pursuits upon that day, and that they engage in such religious worship and devotional exercises as to them may seem proper: Let all the people unite in saying in the language of the Psalmist

“Thou visitest the Earth and waterest it; Thou greatly enrichest it with the River of God, which is full of water; Thou preparest them corn when Thou hast so provided for it; Thou waterest the ridges thereof abundantly; Thou settlest the furrows thereof; Thou makest it soft with showers; Thou blessest the springing thereof; Thou crownest the year with Thy goodness, and Thy paths doth drop fatness: They drop upon the pastures of the wilderness, and the little hills rejoice on every side. The pastures are clothed with flocks, the valleys also are covered over with corn—they shout for joy, they also sing.”

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal  
(Seal of the state of Missouri. Done at the City of Jefferson this sixth day of November AD. 1882

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

DECEMBER 6, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 82*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—it has been made known to me that Jno. D. Shea, who was at the May term 1882 of the St. Louis



Criminal Court convicted of murder in the first degree, has broke jail and escaped, and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of one hundred and fifty dollars for the arrest of said John D. Shea, and his delivery to the sheriff of the City of St. Louis at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this 6th day of December A. D. 1882.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

DECEMBER 14, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 88*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—George H. Kelly stands charged by indictment in the county of Butler with the crime of forgery and has fled from justice and cannot be arrested by ordinary process of law—NOW THEREFORE—I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest of said George H. Kelly and his delivery to the sheriff of said county of Butler, at Poplar Bluff, the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of



the state of Missouri—Done at the City of  
(Seal) Jefferson this 14th day of December AD 1882

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

JANUARY 5, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 100*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS James Levisay stands charged by affidavit with the murder of Allman Huff in the county of Cass on the 27th day of December 1882, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two Hundred dollars for the arrest of said James Levisay and his delivery to the sheriff of said county of Cass at Harrisonville, the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of  
Jefferson this 5th day of January 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



## ON REMOVAL OF DISABILITIES

JANUARY 10, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 104*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS T. A. Felker was at the October term 1882 of the circuit court of Maries county convicted of selling liquor without license and of selling liquor on Sunday and thereby became disqualified to obtain a license to keep a dram shop within this state—Now, THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said T. A. Felker by reason of such conviction and judgment.

In Testimony Whereof, I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this tenth day of January A. D. 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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## OFFERING A REWARD

JANUARY 29, 1883

*From the Register of Civil Proceedings, 1883-1885, p. 122*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Columbus C. Shipman stands charged by affidavit with the murder of \_\_\_\_\_Tiffey in the county of Newton, and has fled from justice and cannot be arrested by ordinary process of law, Now THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri



by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of one hundred and fifty dollars for the arrest and delivery of said Columbus C. Shipman to the sheriff of said county at Neosho, the county seat thereof—at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this 29th day of January A. D. 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### SUSPENDING AN EXECUTION

FEBRUARY 8, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 129*

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*The State of Missouri, To the sheriff of the county of Howell—  
Greeting:*

Know ye that, by virtue of authority in me vested and for good and sufficient reasons appearing I, Thomas T. Crittenden, governor of the state of Missouri do hereby suspend the sentence and Execution of A. J. McGinnis until the 16th day of March 1883, who was by the judgment of the circuit court of Howell county at its April term 1882 sentenced to be hanged: And you the sheriff of said county are hereby directed and commanded to carry out and execute the said judgment and sentence of said circuit court upon the said A. J. McGinnis, on the said 16th day of March 1883 in manner and form as therein set forth in every and all respects as you would and should have done if this suspension and the aforesaid stay had not been made and this extension of time given.



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 8th day of February AD. 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

FEBRUARY 17, 1883

*From the Register of Civil Proceedings, 1882-1883, p. 137*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Robert Nichols stands charged by indictment with the murder of Daniel J. Cook in the county of Boone, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said Robert Nichols to the sheriff of said county of Boone at Columbia at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 17th day of February A. D. 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



*ON REMOVAL OF DISABILITIES*

MARCH 14, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 155*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that—WHEREAS John W. Kenyon was, at the March term 1879 of the circuit court of Harrison county, convicted of forgery in the third degree and sentenced to the penitentiary of this state, and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election, or to hold any office of honor, profit or trust within said state, and the said John W. Kenyon having been discharged from his said imprisonment—

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said John W. Kenyon by reason of the conviction and judgment aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the City of Jefferson this fourteenth day of March AD 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

*ON REMOVAL OF DISABILITIES*

MARCH 26, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 162*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS Daniel Florney was at the August term 1874 of the circuit court of Lafayette county,



convicted of arson in the third degree and sentenced to the penitentiary of this state, and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, profit or trust within said state; and the said Daniel Florney having been discharged from his said imprisonment, NOW THEREFORE, I, Robert A. Campbell Governor of the State of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Daniel Florney by reason of the conviction and judgment aforesaid

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri—Done at the City of Jefferson this 26th day of March AD 1883.

ROBT. A. CAMPBELL.

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

MAY 5, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 185*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Jefferson D. Bunch stands charged by affidavit with the murder of Thomas Nash in the county of St. Francois, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said Jefferson D. Bunch to the sheriff of said county of St. Francois, at Farmington, at any time within six months from the date of these presents:



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri Done at the City of  
Jefferson this 5th day of May A. D. 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

MAY 15, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 189*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS A. W. Delcour was at the October term 1878 of the circuit court of Washington county convicted of petit larceny and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, trust or profit, within said state

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said A. W. Delcour by reason of the conviction

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the state of Missouri: Done at the City of  
Jefferson this 15th day of May AD. 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State



## OFFERING A REWARD

MAY 15, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 190*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Robert Ashcraft stands charged by indictment with the murder of Charles Click in the county of Carter, and has fled from justice and cannot be arrested by ordinary process of law:

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said Robert Ashcraft to sheriff of said county of Carter at Van Buren, the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this 15th day of May A. D. 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State

## OFFERING A REWARD

JUNE 1, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 199*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Clifton Wade stands charged by affidavit with the murder of Robert Cummings in the county of Monroe, and has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Thomas T.



Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and delivery of said Clifton Wade to the sheriff of said county of Monroe, at Paris the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this first day of June A. D. 1883  
THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State

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ON DECLARING CERTAIN COMMISSIONS  
VACATED

JUNE 18, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 205*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested, I—Thomas T. Crittenden, governor of the State of Missouri, hereby declare vacated, from and after the fourth day of July 1883, the commissions heretofore issued to Richard S. Child, jr. of Philadelphia, Pennsylvania, and L. C. Northrup of Omaha, Nebraska, as commissioners of deeds for the state of Missouri in said states, they having failed to qualify as such commissioners as required by section 641 of the revised statutes of the State of Missouri, 1879.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this 18th day of June A. D. 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.



ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

JULY 1, 1883

*From the Register of Civil Proceedings, 1882-1885, pp. 290-291*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the State School Fund of said state in the sum of Twenty two thousand dollars payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually, at the rate of five per centum per annum, out of any money in the State treasury not otherwise appropriate said interest to be paid on the first days of January and July of each year and applied to the maintenance of free public schools in the State of Missouri as provided by law.

This certificate of indebtedness represents certain sums of money paid into the state treasury and placed to the credit of the state school fund by virtue of several acts of the general assembly of the State of Missouri entitled as follows: "An act to regulate the appointment of notaries public in all cities having a population of one hundred thousand inhabitants or more." Approved March 24, 1881; "An act to appropriate money for the support of the State government for the years 1883 and 1884" approved April 2nd 1883 and "An act to appropriate money for the deficiencies in the appropriations for the years 1881 and 1882," approved April 2nd 1883. Said sums of money were derived from notaries public appointed in cities containing one hundred thousand inhabitants or more, as provided in said act of March 24, 1881, and from the Executors and



administrators fund and the road and canal fund as provided in the said acts approved April 2, 1883.

The certificate is non-negotiable and is issued in compliance with an act of the General Assembly of the State of Missouri approved March thirty first 1883 and entitled an "An act to provide for the permanent investment of any moneys, remaining in the state treasury and belonging to either the public school fund or seminary fund of the State, or that may hereafter be paid into the state treasury, etc."

In Witness Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at office in the city of Jefferson, Missouri this 1st day of July 1883.

THO. T. CRITTENDEN.

Governor

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

JULY 2, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 211*

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*The State of Missouri, To all who shall see these presents—Greeting:*

Know ye that it is hereby certified that the state of Missouri is indebted to the State Board of Education of said state, as trustee for the State Seminary Fund of said state in the sum of Two hundred and forty two thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually, at the rate of five per centum per annum, out of any money



in the state treasury not otherwise appropriated: said interest to be paid on the first days of January and July of each year, and applied to the maintenance of the Agricultural College and School of Mines as provided by law.

This certificate of indebtedness represents certain sums of money paid into the state treasury by the treasurer of the Board of Curators of the State University on the twenty seventh and thirtieth days of June 1883, said money being the proceeds derived from the sale of Agricultural College lands donated to the State of Missouri by virtue of an act of Congress, approved July 2nd 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of Agriculture and the mechanic acts"—It is non-negotiable and is issued in compliance with an act of the general assembly of the State of Missouri approved March thirty first 1883 and entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or seminary fund of the state, or that may hereafter be paid into the state treasury etc."

In Witness Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at office in the City  
of Jefferson, Missouri this second day of July  
AD. 1883

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

JULY 14, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 216*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Lane Britton is charged by affidavit with the murder of Aaron Davis in the county of Jasper and has



fled from justice and cannot be arrested by ordinary process of law—NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars, for the arrest and delivery of said Lane Britton to the sheriff of said county of Jasper at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 14th day of July A. D. 1883.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

AUGUST 6, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 225*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Joseph Huber was by the judgment of the Criminal Court of Johnson county convicted of selling liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state.

NOW THEREFORE I, Robert A. Campbell, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Joseph Huber by reason of such convictions and judgment.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of



(Seal)        the state of Missouri Done at the City of  
Jefferson this sixth day of August A. D. 1883.

R. A. CAMPBELL

By the Governor:

MICH'L K. McGRATH, Secretary of State

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ON REMOVAL OF DISABILITIES

AUGUST 7, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 226*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

WHEREAS Joseph Hessler was by the judgment of the Criminal Court of Johnson county, convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state. NOW THEREFORE I, Robert A. Campbell, Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby remove the disabilities imposed on the said Joseph Hessler by reason of such conviction and judgment.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal)        the State of Missouri. Done at the City of  
Jefferson this seventh day of August AD 1883

R. A. CAMPBELL

By the Governor:

MICH'L K. McGRATH, Secretary of State



*OFFERING A REWARD*

AUGUST 13, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 228*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John A. Pruitt is charged by indictment with the murder of Samuel Gibson in the county of Camden and has fled from justice and cannot be arrested by ordinary process of law NOW THEREFORE I Robert A. Campbell Governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said John A. Pruitt to the sheriff of Camden County at Linn Creek, the county seat thereof at any time within one year from the date of these presents

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of Jefferson this thirteenth day of August AD. 1883.

ROBT. A. CAMPBELL

By the Governor:

MICH'L K. McGRATH, Secretary of State.

*OFFERING A REWARD*

AUGUST 20, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 233*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, John Fickler is charged by affidavit with the murder of Maurice Slatterly in the City of St. Louis, and has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Thomas T. Critten-



den, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said John Fickler to the sheriff of said city at St. Louis at any time within one year from the date hereof.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson This 20th day of August AD 1883

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

SEPTEMBER 1, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 238*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that Thomas H. Gibson was by the Judgment of the Circuit Court of Adair County, convicted of selling liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state—Now, THEREFORE, I Thomas T. Crittenden governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Thomas H. Gibson by reason of such conviction and judgment.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
the State of Missouri. Done at the City of  
(Seal) Jefferson this first day of September in the year  
of our Lord One thousand eight hundred and



liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Stephen Kiggins by reason of such conviction and judgment.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of  
(Seal) Jefferson this first day of September in the year of Our Lord One thousand eight hundred and eighty three of the Independence of the United States the one hundred and eighth and of the state of Missouri the sixty fourth

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

By AUG. S. VOGDES, Chief Clerk

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### ON REMOVAL OF DISABILITIES

SEPTEMBER 3, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 241*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that Lafayette Johnson was, on the thirtieth day of October 1880 by a judgment of the criminal court of Lafayette county, convicted of malicious and felonious assault with intent to kill, and sentenced to imprisonment in the penitentiary of this state, and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election, or to hold any office of honor, profit or trust within said state, and the said Lafayette Johnson having been discharged from his said imprisonment.



NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue and authority of law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Lafayette Johnson by reason of the conviction and sentence aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this third day of September in the year of Our Lord One thousand eight hundred and eighty three, of the Independence of the United States the one hundred and eighth, and of the state of Missouri the sixty fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

By AUG. S. VOGDES, Chief Clerk

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## ON REMOVAL OF DISABILITIES

SEPTEMBER 4, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 243*

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*The State of Missouri, To all who shall see these presents, Greeting:*

Know ye that Christian Schricker was at the June term 1874 of the circuit court of Johnson County convicted of selling liquor without license and thereby became disqualified to obtain a license to keep a dram shop within this state—

NOW THEREFORE, I, Thomas T. Crittenden, Governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Christian Schricker by reason of such conviction and judgment.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of  
(Seal) Jefferson this fourth day of September in the year of our Lord one thousand eight hundred and eighty three, of the Independence of the United States the one hundred and eighth and of the state of Missouri, the sixty fourth—  
THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

By AUG. S. VOGDES, Chief Clerk

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### OFFERING A REWARD

SEPTEMBER 10, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 246*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Henry O'Brian is charged with the murder of George West, in the county of Chariton and has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and delivery of the said Henry O'Brian to the sheriff of said county of Chariton, at Keytesville, the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the city of Jefferson this 10th day of September AD 1883  
THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## ON REMOVAL OF DISABILITIES

OCTOBER 8, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 256*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that—James G. Maxsey was at the April term 1876 of the circuit court of Miller county convicted of murder in the second degree and sentenced to the penitentiary of this state—and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, profit or trust within said state and the said James G. Maxsey having been discharged from his said imprisonment Now THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said James G. Maxsey by reason of the conviction and sentence aforesaid

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this eighth day of October in the year of Our Lord one thousand eight hundred and eighty three of the independence of the United States the one hundred and eighth and of the State of Missouri the sixty fourth

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

NOVEMBER 1, 1883

*From the Register of Civil Proceedings, 1882-1885, pp. 289-290*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the state seminary Fund, of said state, in the sum of five thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually, at the rate of five per centum per annum, out of any money in the State treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year and applied to the maintenance of the Agricultural College and School of Mines as provided by law.

This certificate of indebtedness represents certain sums of money paid into the state treasury by the treasurer of the board of curators of the State University on the eighth day of November 1883, said money being the proceeds derived from the sale of the Agricultural College lands donated to the State of Missouri by virtue of an act of Congress, approved July second 1862, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanics arts" It is non-negotiable and is issued in compliance with an act of the general assembly of the State of Missouri, approved March thirty-first 1883 and entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or seminary fund of the state, or that may hereafter be paid into the state treasury, etc."



In Witness Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at office in the city of  
Jefferson, Missouri this 1st November 1883

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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## ON THANKSGIVING

NOVEMBER 2, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 264*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

In obedience to custom and in token of gratitude to the Allwise source of every good, for the manifold blessings bestowed upon us during the past year I, Thomas T. Crittenden, governor of the State of Missouri, do hereby designate Thursday the 29th day of November as a day of Thanksgiving. In pursuance of the request of the President of the United States I recommend that the people rest from their accustomed labors on that day and that they assemble at their respective places of worship and render thanks and praise the Almighty God for that manifestation of Divine favor which has preserved us from pestilence and blessed us with peace and prosperity and devoutly implore a continuance of his mercy.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal  
(Seal) of the state of Missouri. Done at the city of  
Jefferson this second day of November A. D.  
1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.



## ON THE ADOPTION OF RAILROAD STANDARD OF TIME

NOVEMBER 8, 1883

*From the Register of Civil Proceedings, 1882-1885, pp. 267-268*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been unanimously agreed by the managers of the railroads of the United States to adopt standards of time which shall be uniform for belts of territory some eight hundred miles wide and stretching indefinitely north and south—

WHEREAS the state of Missouri lies in the great central belt extending from the Gulf of Mexico to British America and containing the greater portion of the Mississippi Valley and

WHEREAS on and after the eighteenth day of November 1883 the time on all railroads in this central belt will be uniform (instead of varying with the longitude as at present) the standard being just six hours slower than Greenwich—the standard nautical time of the World and being approximately the mean solar time of St. Louis and Whereas the most effective means of disseminating and maintaining correct time is our system of railroads and telegraph lines, as has been shown in the past by the general adoption time along the different lines, and Whereas it will greatly conduce to the comfort and convenience of all interests, industrial, commercial and scientific, to adopt a standard of time uniform, not only in Missouri, but throughout all our neighboring states

THEREFORE—do I, Thomas T. Crittenden, governor of the State of Missouri, urge and recommend the adoption of the railroad standard or what will be known as the “Central Time,” by all corporations municipal and otherwise, and by all citizens in the State of Missouri, and I further recommend that the new standard be adopted from and



after the date fixed by the railway companies, to wit; at noon on the eighteenth day of November A. D. 1883.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great seal  
(Seal) of the state of Missouri. Done at the city of Jefferson this 8th day of November AD 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

NOVEMBER 8, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 268*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS Bell Harrison was at the May term 1881 of the criminal court of Johnson county, convicted on two several indictments, of selling liquor without license, and thereby became disqualified to keep a dram shop within this state.

NOW THEREFORE I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby remove the disabilities imposed on the said Bell Harrison by reason of such convictions and judgments.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this eighth day of November in the  
(Seal) year of Our Lord one thousand eight hundred and eighty-three of the independence of the United States the one hundred and eighth and of the state of Missouri the sixty fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



## ON DECLARING A COMMISSION VACATED

NOVEMBER 19, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 273*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested I, Thomas T. Crittenden, governor of the state of Missouri, hereby declare vacated, from and after the first day of December 1883, the commission heretofore issued to John C. Purkis, as a commissioner of deeds for the state of Missouri in the State of Rhode Island, he having failed to qualify as such commissioner as required by section 641 of the Revised Statutes of the State of Missouri 1879.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 19th day of November A. D. 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

NOVEMBER 26, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 276*

*The State of Missouri, To all who shall see these presents, Greeting:*

Know ye that Charles Miller was, on the 25th day of May 1882 by a judgment of the St. Louis Criminal Court, convicted of larceny and sentenced to the penitentiary of this state for a term of two years for larceny; and the said



Charles Miller having been discharged from his said imprisonment

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Charles Miller by reason of the conviction and sentence aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this 26th day of November in the year of Our Lord One thousand eight hundred and eighty three Of the Independence of the United States the One hundred and eighth and of the State of Missouri the sixth fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

DECEMBER 10, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 282*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—George Stewart stands charged with the murder of Walter Tracy in the county of Macon and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and delivery of said George Stewart to the sheriff of said county



of Macon, at the county seat thereof at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the city of Jefferson this 10th day of December A. D. 1883.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

DECEMBER 31, 1883

*From the Register of Civil Proceedings, 1882-1885, p. 292*

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*The State of Missouri, To all who shall see these presents:  
Greeting:*

Know ye that WHEREAS George Miller was, at the February term 1878 of the criminal court of Jackson County, Missouri, convicted of petit larceny and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, profit or trust within said state. Now THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing, do hereby fully pardon said George Miller for said offense and crime of petit larceny and do hereby remove the disabilities imposed upon the said George Miller by reason of the conviction aforesaid

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri, Done at the city of Jefferson this thirty first day of December in  
(Seal) the year of Our Lord One thousand eight



hundred and eighty three of the Independence  
of the United States the One hundred and eighth  
and of the State of Missouri the sixth fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

JANUARY 4, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 294*

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*The State of Missouri, To all who shall see these presents  
Greeting:*

Know ye that WHEREAS William Keeton was at the September term 1878 of the circuit court of Crawford County convicted of petit larceny and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor profit or trust within said state. NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said William Keeton by reason of the conviction aforesaid

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri: Done at the city of Jefferson this fourth day of January in the year of our Lord One thousand eight hundred and eighty four, of the Independence of the United States the one hundred and eighth and of the state of Missouri the sixty fourth.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State



*OFFERING A REWARD*

JANUARY 14, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 298*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Thomas T. Dickson was convicted of murder in the first degree in the circuit court of Stoddard County and has escaped from jail of said County and is now a fugitive from justice.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and delivery of said Thomas T. Dickson to the sheriff of said county of Stoddard at Bloomfield the county seat thereof at any time within one year from the date of these presents

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 14th day of January AD 1884  
THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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*ON REMOVAL OF DISABILITIES*

JANUARY 18, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 300*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS Charles K. Quick, was convicted of petit larceny in the county of Newton and thereby



became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, profit or trust within said state.

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Charles K. Quick by reason of the conviction aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the city of Jefferson this eighteenth day of January in the year of Our Lord one thousand eight hundred and eighty-four, of the independence of the United States the one hundred and eighth and of the State of Missouri the sixth-fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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### ON REMOVAL OF DISABILITIES

JANUARY 18, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 300-301*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS John Childers was convicted of petit larceny in the county of Newton, and thereby became disqualified to be sworn as a witness or juror in any cause or to vote at any election or to hold any office of honor, profit or trust within said state.

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said John Childers by reason of the conviction aforesaid.



(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri—Done at the city of Jefferson this eighteenth day of January in the year of Our Lord One thousand eight hundred and eighty four; of the independence of the United States the one hundredth and eighth and of the State of Missouri the sixty fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

JANUARY 18, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 301*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS Nathan Owen was convicted of petit larceny in the county of Newton and thereby became disqualified to be sworn as a witness or juror in any cause, or to vote at any election, or to hold any office of honor, profit or trust within said state

Now THEREFORE, I, Thomas T. Crittenden governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Nathan Owen by reason of the conviction aforesaid

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the state of Missouri; Done at the city of Jefferson this eighteenth day of January in the year of Our Lord one thousand eight hundred and eighty four—of the independence of the



United States the one hundred and eighth and  
of the State of Missouri the sixty fourth

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

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ON THE INDEBTEDNESS OF THE STATE OF MISSOURI  
TO THE STATE BOARD OF EDUCATION

JANUARY 22, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 304-305*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee of the State Seminary Fund of said state, in the sum of One hundred thousand dollars, payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee, as aforesaid, interest semi-annually at the rate of five per centum per annum, out of any money in the state treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year and to be applied by the Board of Curators of the State University as required by law. This Certificate of Indebtedness represents a certain sum of money paid into the state treasury by the treasurer of the Board of Curators of the State University on the twentieth day of July 1883, said sum of money being proceeds derived from the sale of One hundred bonds of the State of Missouri of the denomination of One thousand dollars each, which were issued under an act of the General Assembly, approved March 29th 1872 entitled: "An act for the benefit of the State University, the Agricultural and Mechanical College of Missouri and the school of Mines and Metallurgy, and to



settle the account between the state and the seminary fund, arising from the sale of the stock held by the state in the Bank of the State of Missouri in trust for the seminary fund—The Certificate is non-negotiable, inconvertible and non transferable, and is issued in compliance with an act of the general assembly of the state of Missouri, approved March 31st 1883 and entitled “An act to provide for the permanent investment of any moneys remaining in the State Treasury and belonging to either the public school fund or seminary fund of the state, or that may hereafter be paid into the state treasury etc.”

In Witness Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) state of Missouri. Done at office in the city of  
Jefferson, Missouri, this 22nd day of January  
1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

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ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

JANUARY 30, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 355-356*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that—It is hereby certified that the State of Missouri is indebted to the State Board of Education of said state, as trustee for the State Seminary fund of said state; in the sum of Five Thousand dollars payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi-annually at the rate of five per centum per annum, out of any money in the State Treasury not otherwise appropriated, said interest to be paid on the



first days of January and July of each year, and applied to the maintenance of the Agricultural College and School of Mines, as provided by law.

This certificate of indebtedness represents certain sums of money paid into the state treasury by the treasurer of the board of curators of the State University on the 30th day of January 1884, said money being the proceeds derived from the sale of the agricultural college lands donated to the state of Missouri by virtue of an act of congress, approved July second 1862, entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts" It is non negotiable and is issued in compliance with an act of the general assembly of the State of Missouri, approved March 31st 1883 and entitled "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or seminary fund of the state, or that may hereafter be paid into the state treasury etc."

In Witness Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) state of Missouri. Done at office in the city of  
Jefferson, Missouri, this 30th day of Jan'y 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

FEBRUARY 20, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 315*

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STATE OF MISSOURI, EXECUTIVE OFFICE.

WHEREAS—James Wingfield is charged with the murder of B. Hinck in the county of Dent, and has fled from justice and cannot be arrested by ordinary process of law.



NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and delivery of said James Wingfield to the sheriff of said county of Dent, at Salem the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 20th day of February A. D. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

MARCH 24, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 332*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Fletcher Franklin is charged with the murder of David W. Mullins in the county of Sullivan, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of Two hundred and fifty dollars for the arrest and conviction of said Fletcher Franklin; one hundred and fifty dollars to be paid on his arrest and delivery to the sheriff of Sullivan County, at Milan the county seat thereof at any time within one year from the date hereof; and one hundred dollars to be paid on conviction of the accused of the crime aforesaid.



In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the Great Seal  
(Seal) of the State of Missouri. Done at the City of  
Jefferson this 24th day of March A. D. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

APRIL 4, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 338*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that—WHEREAS Jacob Goetz was on the eighteenth day of December eighteen hundred and seventy seven, by a judgment of the St. Louis Criminal Court convicted of petit larceny and sentenced to imprisonment in the Workhouse of said city for a term of six months, and the said Jacob Goetz having been discharged from his said imprisonment, NOW, THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Jacob Goetz by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
the State of Missouri. Done at the City of  
Jefferson this fourth day of April in the year of  
(Seal) our Lord one thousand and eight hundred and  
eighty-four, of the independence of the United  
States the one hundred and eighth and of the  
State of Missouri the sixth fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



## OFFERING A REWARD

APRIL 5, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 339*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS James Dickey stands charged by indictment with the murder of James Manning in the county of McDonald, and has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of two hundred dollars for the arrest and conviction of said James Dickey; One hundred dollars to be paid on the delivery of said Dickey to the sheriff of McDonald county at Pineville, the county seat thereof, at any time within one year from the date hereof; and one hundred dollars on his conviction of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri—Done at the City of Jefferson, this 5th day of April, 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

## OFFERING A REWARD

APRIL 16, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 344*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on January 21st 1884, in the county of Jefferson, Louis Bonecker and Josephine Bonecker, his wife were murdered at their



home in said county by some persons to me unknown; and WHEREAS said person or persons have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and conviction of the murderer or murderers of said Louis Bonecker and Josephine Bonecker.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great seal  
(Seal) of the State of Missouri. Done at the city of Jefferson this 16th day of April A. D. 1884

THOMAS T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

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ON THE INDEBTEDNESS OF THE STATE OF MISSOURI TO THE STATE BOARD OF EDUCATION

APRIL 19, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 356-357*

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*The State of Missouri, To all who shall see these presents—Greeting:*

Know ye that it is hereby certified that the State of Missouri is indebted to the State Board of Education, of said state, as trustee for the State Seminary fund of said state, in the sum of Thirty-five thousand dollars payable twenty years after date, upon which sum the said state hereby promises to pay to the State Board of Education, as trustee as aforesaid, interest semi annually at the rate of five per centum per annum, out of any money in the state treasury not otherwise appropriated, said interest to be paid on the first days of January and July of each year and applied to the maintenance of the Agricultural College and School of Mines as provided by law.



This certificate of indebtedness represents certain sums of money paid into the state treasury by the treasurer of the board of curators of the State University on the nineteenth day of April 1884, said money being the proceeds derived from the sale of the Agricultural College Lands donated to the state of Missouri by virtue of an act of Congress approved July second 1862 entitled "An act donating public lands to the several states and territories which may provide Colleges for the benefit of Agriculture and the Mechanic Arts" It is non-negotiable and is issued in compliance with an act of the general assembly of the State of Missouri, approved March thirty first—1883, and entitled "An act to provide for the permanent investment of any moneys remaining in the State treasury and belonging to either the public school fund or seminary fund of the state, or that may hereafter be paid into the state treasury etc"

In Witness Whereof I have hereunto set my hand  
and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at office in the city of  
Jefferson Missouri, this 19th day of April  
1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

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### OFFERING A REWARD

MAY 7, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 353*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Oliver L. Bell is charged with the murder of W. C. Whitehouse in the county of Crawford, and has fled from justice and cannot be arrested by ordinary process of law.



NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and conviction of said Oliver L. Bell of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the  
(Seal) State of Missouri. Done at the city of Jefferson on this 7th day of May AD. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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ON DECLARING CERTAIN COMMISSIONS  
VACATED

MAY 8, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 354*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

By virtue of authority in me vested I, Thomas T. Crittenden, governor of the State of Missouri, hereby declare vacated, from and after the first day of June 1884, the commission heretofore issued to C. C. Burrill as a commissioner of deeds for the State of Missouri in the State of Maine and the commission heretofore issued to J. L. Bright as a commissioner of deeds for the state of Missouri the state of New York They having failed to qualify as such commissioners as required by section 641 of the revised statutes of the state of Missouri, 1879.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the city of Jefferson this 8th day of May AD. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



*ON REMOVAL OF DISABILITIES*

JUNE 2, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 366-367*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS Jasper H. Mooney was convicted in the circuit court of Andrew county and sentenced to imprisonment in the penitentiary of this state for a term of two years for the crime of perjury and the said Jasper H. Mooney having been discharged from his imprisonment. Now THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Jasper H. Mooney by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this second day of June in the year of  
(Seal) our Lord one thousand eight hundred and eighty four, of the independence of the United States the one hundred and eighth, and the State of Missouri the sixty-fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

*OFFERING A REWARD*

JUNE 17, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 373*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that on the night of the seventeenth day of May 1884 at Wolf Island,



near Wellington Lafayette county, Philip Schneider, the mate of the steamer Montano, was taken from the boat by some unknown persons and great violence committed upon his person

NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred and fifty dollars for the arrest and conviction of said unknown persons of the crime aforesaid

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 17th day of June 1884

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

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### OFFERING A REWARD

JUNE 18, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 374*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS L. Z. Johnson is charged with the murder of Arch Ferrell on the 20th day of May 1884, in Phelps county and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said L. Z. Johnson to the sheriff of Phelps county at Rolla at any time within one year from the date hereof.



In Testimony Whereof I have heretuno set my hand and caused to be affixed the great seal  
(Seal) of the State of Missouri. Done at the city of Jefferson this 18th day of June 1884.

THO. T. CRITTENDEN.

By the governor:

MICH'L K. MCGRATH, Secretary of State.

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### OFFERING A REWARD

JUNE 21, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 376*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Lewis Wampler is charged with the murder of John H. Anderson in the county of Bates, Missouri, and having enticed the wife and five children of said Anderson into Kansas and there murdering them, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of Three Hundred dollars for the arrest and conviction of said Lewis Wampler of the crime aforesaid if in the state of Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the state of Missouri. Done at the city of Jefferson this 21st day of June 1884.

THO. T. CRITTENDEN

By the governor:

MICH'L K. MCGRATH, Secretary of State



## ON REMOVAL OF DISABILITIES

JULY 12, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 332*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know Ye that WHEREAS James Cunningham was, at the October term 1882 of the circuit court of Clark County, convicted of grand larceny and sentenced to the penitentiary of this state for the term of two years; and the said Cunningham having been discharged from his said imprisonment NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said James Cunningham by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this twelfth day of July in the year of Our Lord one thousand eight hundred and eighty-four, of the independence of the United States the one hundred and ninth and of the state of Missouri the sixth fourth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

## OFFERING A REWARD

JULY 14, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 333*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that on the third day of July 1884, in the county of Morgan one John



W. Bonham was murdered on the public highway by some unknown person who has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing, do hereby offer a reward of One Hundred and Fifty dollars for the arrest and conviction of said unknown person of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri. Done at the city of Jefferson this 14th day of July AD. 1884.

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

JULY 18, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 385*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know Ye That WHEREAS James M. Gover was at the June term 1881 of the circuit court of Cooper county convicted of grand larceny and sentenced to the penitentiary for a term of four years; and the said James M. Gover having been discharged from his said imprisonment.

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said James M. Gover by reason of the conviction and sentence aforesaid.



(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri: Done at the City of Jefferson on eighteenth day of July in the year of Our Lord One thousand eight hundred and eighty four, of the independence of the United States the one hundred and ninth and of the State of Missouri the sixty fourth.

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

JULY 23, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 386-387*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, Wesley Pritchett is charged with the murder of John Vermillion in the county of Lawrence and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE, I Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and conviction of said Wesley Pritchett of the crime aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this twenty third day of July A. D. 1884.

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State



## OFFERING A REWARD

AUGUST 16, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 392*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has been made known to me that in the county of DeKalb one John Godwin has been murdered by some persons to me unknown and who have fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest of said unknown persons and their conviction of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the city of Jefferson this 16th day of August AD. 1884.

THO. T. CRITTENDEN.

By the Governor:

MICH'L K. McGRATH, Secretary of State

## OFFERING A REWARD

AUGUST 16, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 393*

## STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS, it has been made known to me that in the county of DeKalb an outrage has been committed upon the person of Mrs. Joseph Truex by some persons to me unknown, and who have fled from justice and cannot be arrested by ordinary process of law.



NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred and fifty dollars for the arrest and conviction of said unknown persons of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri. Done at the city of Jefferson this 16th day of August AD 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

AUGUST 25, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 398*

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*The State of Missouri, To all who shall see these presents—Greeting:*

Know ye that—WHEREAS L. J. Pierce was at the May Term 1881 of the circuit court of Howell county, convicted of felonious assault and sentenced to the penitentiary of this state and the said L. J. Pierce having been discharged from his said imprisonment

NOW THEREFORE, I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said L. J. Pierce by reason of the conviction and sentence aforesaid

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri: Done at the city of Jefferson this twenty fifth day of August in the year of Our Lord one Thousand eight hundred and

(Seal)



eighty four—of the Independence of the United States the one hundred and ninth and of the State of Missouri the sixty fifth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

SEPTEMBER 6, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 402*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that WHEREAS, Martin H. Griffith was, at the August term 1881 of the circuit court of Douglas county convicted of forgery and sentenced to the penitentiary of this state for a term of four years, and the said Martin H. Griffith having been discharged from his said imprisonment

NOW THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Martin H. Griffith by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this sixth day of September in the year  
(Seal) of Our Lord one thousand eight hundred and eighty-four, of the independence of the United States the one hundred and ninth, and of the State of Missouri the sixth fifth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



## ON REMOVAL OF DISABILITIES

SEPTEMBER 6, 1884

*from the Register of Civil Proceedings, 1882-1885, p. 403*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know Ye That WHEREAS William Clendenen was at the September term 1879 of the Criminal Court of Saline County convicted of selling liquor without license, and thereby became disqualified to obtain a license to keep a dram shop within this state—Now THEREFORE I, Thomas T. Crittenden governor of the State of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said William Clendenen by reason of said conviction and judgment

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the City of Jefferson this sixth day of September in the year  
(Seal) of our Lord one thousand and eighty four, of the Independence of the United States the One hundred and ninth and of the State of Missouri the sixty fifth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

## OFFERING A REWARD

SEPTEMBER 11, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 405*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Jeff Treadway is charged with the murder of William Gift, in the county of Marion on the 29th day



of September 1883, and has fled from justice and cannot be arrested by ordinary process of law.

NOW THEREFORE I, Thomas T. Crittenden governor of the State of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and conviction of said Jeff Treadway of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal  
(Seal) of the State of Missouri. Done at the City of Jefferson this 11th day of September 1884.

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State.

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### OFFERING A REWARD

SEPTEMBER 18, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 408*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS—Howard Adams is charged by indictment with the crime of rape in the county of Moniteau and has fled from justice and cannot be arrested by ordinary process of law,

NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred Dollars for the arrest and conviction of said Howard Adams of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the Great Seal of  
(Seal) the State of Missouri—Done at the City of Jefferson this 18th day of September 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State



## ON REMOVAL OF DISABILITIES

OCTOBER 16, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 416*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that, WHEREAS George Haworth was, at the February term 1881 of the circuit court of Wright county convicted of petit-larceny and fined Twenty dollars, Now, THEREFORE, I, Thomas T. Crittenden, Governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said George Haworth by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this sixteenth day of October in the  
(Seal) year of our Lord one thousand eight hundred and eighty-four, of the independence of the United States the one hundred and ninth and of the State of Missouri the sixty fifth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

OCTOBER 16, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 416-417*

*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know Ye that—WHEREAS, Nathaniel Haworth was at the February term 1881, of the circuit court of Wright



county, convicted of petit larceny and fined one hundred dollars.

NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Nathaniel Haworth by reason of the conviction and sentence aforesaid.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri—Done at the city of Jefferson this sixteenth day of October in the year  
(Seal) of Our Lord one thousand eight hundred and eighty four; of the independence of the United States the one hundred and ninth, and of the State of Missouri the sixty fifth—

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

OCTOBER 24, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 420*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know ye that—WHEREAS John Hackney was, at the March term 1881 of the criminal court of Lafayette County, convicted of manslaughter in the third degree and sentenced to the penitentiary of this state for the term of three years; and the said John Hackney having discharged from his said imprisonment. NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law and for good and sufficient reasons appearing, do hereby remove the disabilities im-



posed upon the said John Hackney by reason of the conviction and sentence aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri: Done at the City of Jefferson this twenty fourth day of October in the year of Our Lord one thousand eight hundred and eighty four, of the Independence of the United States the one hundred and ninth, and of the State of Missouri the sixty fifth.

THO. T. CRITTENDEN

By the governor:

MICH'L K. McGRATH, Secretary of State

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## ON MAINTAINING ORDER AT THE POLLS

NOVEMBER 1, 1884

*From the Register of Civil Proceedings, 1882-1885, pp. 423-424*

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### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS it has come to my knowledge that the Federal authorities within the state have thought it necessary, at the approaching election to be held within this state under state laws, to appoint a large number of deputy United States marshals who are to attend at various voting places in this state for the ostensible purpose of preserving the peace and protecting the electors of the state in the exercise of the right of suffrage: And WHEREAS, it is to be presumed, in favor of this extraordinary action of the Federal government, that some unusual grounds of apprehended danger, to the lawful electors in exercising such right of suffrage, exists: 'and WHEREAS it is the duty, under the constitution and laws of this state, that the chief executive of the state should employ all the agencies law-



fully at his command to enforce the laws and protect the citizen in the exercise of his lawful rights, to preserve the public peace and order of the state; and believing that the police power of the state is amply adequate for such purpose. NOW THEREFORE, I, Thomas T. Crittenden, governor of the State of Missouri, do hereby call upon all sheriffs, marshals, chiefs of police, constables and other peace and police officers within this state to make such arrangements, by the appointment of extra deputies or otherwise, as to them shall seem most prudent within the law, as will insure peace, good order and tranquility at every voting precinct in Missouri, and as will protect and defend every citizen of Missouri who is lawfully entitled to vote, of whatever nationality, color or political faith, in his right to cast his ballot without interruption, fear, hindrance, or interference from any source. And, in the protection of the free people of Missouri in the exercise of this high prerogative of freeman, I call upon every honest citizen, who values his own liberty, to assist any state or municipal officer in the preservation of the peace and the detection and arrest of all persons who shall attempt illegally to vote, whenever required by such officers so to do. And I particularly call upon the chief police officers of the various cities of Missouri, and especially of St. Louis, Kansas City and St. Joseph to give their officers special charge concerning this matter, and to see that each voting precinct and polling place is so protected as to prevent any interference with the right of the citizen from any source.

In Testimony Whereof I have hereunto set my  
hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the City of  
Jefferson this 1st day of November AD. 1884.

THO. T. CRITTENDEN

By the Governor:

MICHAEL K. McGRATH, Secretary of State



## ON THANKSGIVING

NOVEMBER 10, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 429*

STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

In obedience to immemorial custom and in pursuance of the suggestion of the president of the United States, I, Thomas T. Crittenden, governor of the State of Missouri, do hereby designate Thursday November 27th as a day of Thanksgiving: and I recommend that on that day the people abstain from all secular pursuits, and in their homes or at their respective places of worship, they lift their hearts and voices in praise, thanksgiving and adoration to Almighty God as a just recognition of the tender mercy and loving kindness so bountifully lavished upon us. Let all the people render devout praise for the peace, happiness and prosperity of the country.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this 10th day of November A. D. 1884.

THO. T. CRITTENDEN

By the governor:

MICH'L K. MCGRATH, Secretary of State.

## ON REMOVAL OF DISABILITIES

NOVEMBER 19, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 462*

*The State of Missouri, To all who shall see these presents—Greeting:*

Know ye that—WHEREAS, Alfred Spencer was, at the September term 1881 of the circuit court of Platte county, convicted of manslaughter in the fourth degree and sen-



tenced to the penitentiary of this state for a term of two years, and the said Alfred Spencer having been discharged from his said imprisonment, NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing, do hereby remove the disabilities imposed upon the said Alfred Spencer by reason of the conviction and sentence aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this nineteenth day of November in the year of Our Lord one thousand eight hundred and eighty four, of the independence of the United States the one hundred and ninth, and of the State of Missouri the sixty fifth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

NOVEMBER 19, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 464*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Bob Clark (colored) is charged with the murder of Samuel Davis at Birds Point, in Mississippi county on the 5th day of September 1884, and has fled from justice, and cannot be arrested by ordinary process of law, NOW THEREFORE, I Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest and conviction of said Bob Clark of the crime aforesaid.



In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of (Seal) the state of Missouri. Done at the City of Jefferson this 19th day of November A. D. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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ON AN AMENDMENT TO THE STATE  
CONSTITUTION

NOVEMBER 21, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 467-470*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS the Thirty second General Assembly of the State of Missouri, at its regular session begun and held on the third day of January A. D. 1883, required by its concurrent resolution of March 29 AD 1883, the submitting to the qualified voters of said state, to be voted on at the general election to be held on the Tuesday next following the first Monday in November AD 1884, the following amendment to the Constitution of the State of Missouri, concerning the Judicial Department, to wit:

Section 1. The jurisdiction of the St. Louis court of Appeals is hereby extended so as to be co-extensive with the counties of Monroe, Shelby, Knox, Scotland, Clark, Lewis, Marion, Ralls, Pike, Lincoln, Warren, St. Charles, St. Louis, Jefferson, Ste. Genevieve, Perry, Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard, Wayne, Bollinger, Madison, St. Francois, Washington, Franklin, Crawford, Iron, Reynolds, Carter, Butler, Ripley, Oregon, Shannon, Dent, Phelps, Pulaski, Texas, Howell, Ozark, Douglas, Wright, Laclede, Webster, Christian, Taney, Stone, Greene, Lawrence, Barry, New-



ton, and McDonald, as well as the city of St. Louis; and each judge thereof, when hereafter elected, shall be elected by the qualified voters of the counties and of the city under the jurisdiction of said court, and shall be a resident of the said territorial appellate district.

Sec. 2. There is hereby established at Kansas City an appellate court, to be known as the Kansas City court of appeals, the jurisdiction of which shall be co-extensive with all the counties in the state, except those embraced in the jurisdiction of the St. Louis court of appeals. There shall be held in each year two terms of said Kansas City court of appeals, one on the first Monday of March and one on the first Monday of October. The Kansas City Court of Appeals shall consist of three judges, who shall be elected by the qualified voters of the counties under the jurisdiction of said court, and shall be residents of said territorial appellate district—

Sec. 3. The general assembly shall have power by law to create one additional court of appeals, with a new district therefor; to change the limits of the appellate districts, and the names of the courts of appeals, designating the districts by numbers or otherwise; to change the time of holding the terms of said courts; to increase or diminish the pecuniary limit of the jurisdiction of the courts of appeals; to provide for the transfer of cases from one court of appeals to another court of appeals; to provide for the transfer of cases from a court of appeals to the Supreme Court, and to provide for the hearing and determination of such cases by the courts to which they may be transferred.

Sec. 4. The first term of said Kansas City court of appeals shall be held on the first Monday of March in the year 1885, and the first judges thereof shall, upon the adoption of this amendment, be appointed by the governor of said state for the term of four years each, beginning on the first day of January, 1885, and at the general election in the year 1888, the first election for the judges of said court shall be held, and the provisions of the constitution of the state concerning the organization, the judges, the powers,



the jurisdiction and proceedings of the St. Louis court of appeals as herein amended, shall in all appropriate respects apply to the Kansas City Court of Appeals, and to such additional court of appeals as may be by law created.

Sec. 5. In all causes or proceedings reviewable by the supreme court, writs of error shall run from the supreme court directly to the circuit courts and to courts having the jurisdiction pertaining to circuit courts, and in all such causes or proceedings, appeals shall lie from such trial courts directly to the supreme court, and the supreme court shall have exclusive jurisdiction of such writs of error and appeals, and shall in all such cases exclusively exercise superintending control over such trial courts.

Sec. 6. When any one of said courts of appeals shall in any cause or proceeding render a decision which any one of the judges therein sitting shall deem contrary to any previous decision of any one of said courts of appeals, or of the supreme court, the said court of appeals must, of its own motion, pending the same term and not afterward, certify and transfer said cause or proceeding and the original transcript therein to the supreme court, and thereupon the supreme court must rehear and determine said cause or proceeding, as in case of jurisdiction obtained by ordinary appellate process; and the last previous rulings of the supreme court on any question of law or equity shall, in all cases, be controlling authority in said court of appeals.

Sec. 7. All cases which may be pending in the supreme court at the time of the adoption of this amendment, which have not been submitted, and which by its terms would come within the territorial appellate jurisdiction of the Kansas City Court of Appeals, shall be certified and transferred to such court to be heard and determined by it.

Sec. 8. The supreme court shall have superintending control over the courts of appeals by mandamus, prohibition and certiorari.

Sec. 9. The state shall provide a suitable court room at Kansas City in which the Kansas City Court of Appeals



shall hold its sessions; also a clerk's office and furnished offices for the judges.

Sec. 10. The judges of the Kansas City court of appeals, and of such additional court of appeals as may be created by law, shall each annually receive a salary of three thousand five hundred dollars per annum, which together with the entire salaries of the judges of the St. Louis court of appeals, shall be paid out of the State treasury, as the salaries of the judges of the supreme court are now paid, unless otherwise provided by law.

Sec. 11. All provisions of the constitution of this state, and all laws of this state which are inconsistent with this amendment shall, so far as inconsistent, upon its adoption be forever rescinded and of no effect.

And WHEREAS, it was certified to me by the secretary of state, on the Twentieth day of November AD 1884, that it is found from the returns of said Election that a majority of the qualified voters of the state, voting for and against said amendment, had voted at said election in favor of said amendment—

NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, in consideration of the premises and in accordance with the requirements of sec. 6. of the act of the general assembly of the State of Missouri, approved March 14, 1881 entitled "An act to provide for the manner of submission of constitutional amendments to a vote of the people," do hereby declare the amendment aforesaid to be ratified by a majority of the qualified voters of the state and to be valid and binding to all intents and purposes as a part of the Constitution of the State of Missouri.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Missouri. Done at the city of Jefferson this twenty first day of November A. D. eighteen hundred and eighty four.

By the governor:

THO. T. CRITTENDEN

MICH'L K. McGRATH, Secretary of State



## OFFERING A REWARD

DECEMBER 17, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 484*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Clifton Wade is charged by affidavit with the murder of Robert Cummings in the county of Monroe and has fled from justice and cannot be arrested by ordinary process of law. NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri by virtue of authority in me vested and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and delivery of said Clifton Wade to the sheriff of said county of Monroe, at Paris the county seat thereof, at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this 17th day of December A. D. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State

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ON REMOVAL OF DISABILITIES

DECEMBER 19, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 486*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know Ye that WHEREAS Joseph B. Johnston was at the March term 1884 of the circuit court of Nodaway county convicted of illegal voting and sentenced to pay a fine of Fifty dollars, and the said Joseph B. Johnston having paid said fine and discharged



NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said Joseph B. Johnston by reason of the conviction and sentence aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri. Done at the city of Jefferson this 19th day of December in the year of our Lord One thousand eight hundred and eighty-four of the independence of the United States the one hundred and ninth, and of the State of Missouri the sixty fifth—

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

DECEMBER 29, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 490*

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#### STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS Giles Rice, jr., is charged by affidavit with the crime of murder in the county of Chariton and has fled from justice and cannot be arrested by ordinary process of law, NOW THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri by virtue of authority in me vested, and for good and sufficient reasons appearing, do hereby offer a reward of One hundred dollars for the arrest of said Giles Rice, Jr., and his delivery to the sheriff of Chariton county at Keytesville the county seat thereof at any time within one year from the date of these presents.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of



(Seal) the state of Missouri. Done at the city of  
Jefferson this 29th day of December AD. 1884.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### OFFERING A REWARD

JANUARY 3, 1885

*From the Register of Civil Proceedings, 1882-1885, p. 493*

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STATE OF MISSOURI, EXECUTIVE DEPARTMENT.

WHEREAS John Patton is charged with the crime of murder in the county of Reynolds, and has fled from justice and cannot be arrested by ordinary process of law, Now THEREFORE I, Thomas T. Crittenden, governor of the state of Missouri, by virtue of authority in me vested, and for good and sufficient reasons appearing do hereby offer a reward of One hundred dollars for the arrest and conviction of said John Patton of the crime aforesaid.

In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of  
(Seal) the State of Missouri. Done at the city of  
Jefferson this 3rd day of January AD. 1885.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. McGRATH, Secretary of State

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### ON REMOVAL OF DISABILITIES

JANUARY 9, 1885

*From the Register of Civil Proceedings, 1882-1885, p. 496*

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*The State of Missouri, To all who shall see these presents—  
Greeting:*

Know Ye that WHEREAS, William H. Heath was, at the October term 1879 of the St. Louis Criminal Court,



convicted of embezzlement and sentenced to the penitentiary of this state for the term of ten years and the said Heath having been discharged from his said imprisonment.

Now THEREFORE I, Thomas T. Crittenden, governor of the State of Missouri, by virtue of authority in me vested by law, and for good and sufficient reasons appearing do hereby remove the disabilities imposed upon the said William H. Heath by reason of the conviction and sentence aforesaid.

(Seal) In Testimony Whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Missouri: Done at the city of Jefferson this ninth day of January in the year of Our Lord one thousand eight hundred and eighty five, of the Independence of the United States the one hundred and ninth, and of the State of Missouri the sixth fifth.

THO. T. CRITTENDEN

By the Governor:

MICH'L K. MCGRATH, Secretary of State



## MEMORANDA OF PROCLAMATIONS AND WRITS OF ELECTION

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MARCH 27, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 535*

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The Governor issued a writ to the sheriff of Franklin county ordering a special election to be held in said county on the 15th day of April 1882 for the purpose of electing a representative from the second district therein to the thirty first general assembly, to fill the vacancy caused by the resignation of the Honorable Jos. S. Hayhurst.

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MARCH 27, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 535*

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The Governor issued a writ to the sheriff of Ralls county ordering a special election to be held in said county on the 15th day of April 1882 for the purpose of electing a representative to the Thirty first General Assembly from said county to fill the vacancy therein caused by the death of the Honorable Henry H. Priest.

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MARCH 27, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 536*

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The Governor issued a writ to the sheriff of Atchison county ordering a special election to be held in said county on the 15th day of April 1882 for the purpose of electing a representative to the Thirty first General Assembly from



said county to fill the vacancy caused therein by the resignation of the Honorable Ezra M. Hurst.

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MARCH 27, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 536*

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The Governor issued a writ to the sheriff of Dunklin county ordering a special election to be held in said county on the 15th day of April 1882 for the purpose of electing a representative to the Thirty first General Assembly from said county to fill the vacancy therein caused by the death of the Honorable William M. Harkey.

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MARCH 27, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 536*

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The Governor issued a writ to the sheriff of Johnson county ordering a special Election to be held in said county on the 15th day of April 1882 for the purpose of electing a representative to the Thirty first General Assembly from the Eastern district of said county to fill the vacancy therein caused by the resignation of the Honorable William J. Workman.

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AUGUST 29, 1882

*From the Register of Civil Proceedings, 1879-1882, p. 617*

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The Governor issued writs of election to the sheriff of the City of St. Louis and the sheriff of the county of St. Louis ordering a special election to be held on the seventh day of November 1882, in the second congressional district (as established by the act of April 26, 1877 apportioning the state into congressional districts) for the election of a



representative in Congress from said district to fill the vacancy in said district caused by the death of the Honorable Thomas Allen.

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OCTOBER 3, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 1*

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The Governor issued writs of election to the sheriffs of the counties of Daviess, Harrison, Gentry and Worth, composing the 28th Judicial Circuit, ordering a special election to be held therein on the seventh day of November 1882 for the election of a judge of the said 28th judicial circuit to fill the vacancy caused in said circuit by the death of the Hon. John C. Howell.

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OCTOBER 5, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 4*

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The Governor issued writs of election to the sheriffs of the counties of Buchanan and DeKalb, composing the Twelfth Judicial Circuit, ordering a special election to be held therein on the 7th day of November 1882 for a judge of the circuit court to fill the vacancy in said 12th judicial circuit caused by the death of the Honorable W. H. Sherman.

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OCTOBER 5, 1882

*From the Register of Civil Proceedings, 1882-1885, p. 4*

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The Governor issued a writ to the sheriff of Jackson county, composing the Twenty fourth judicial circuit, ordering a special election to be held therein on the 7th day of November 1882 for a judge of the circuit court to fill the vacancy in said 24th Judicial circuit caused by the death of the Honorable S. H. Woodson.



OCTOBER 9, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 414*

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The Governor issued writs of election to the sheriffs of the counties of Daviess, DeKalb, Gentry, Harrison and Worth, composing the Fourth State Senatorial District, ordering elections to be held in said counties on the Fourth day of November 1884, for the election of a state senator from said senatorial district to fill the vacancy therein caused by the death of the Hon. Joseph Truex.

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DECEMBER 23, 1884

*From the Register of Civil Proceedings, 1882-1885, p. 488*

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The Governor issued writs of election to the sheriffs of Buchanan and Andrew counties ordering an election to be held in said counties on Tuesday the 6th day of January 1885, for the election of a State senator from the second senatorial district to fill the vacancy caused therein by the resignation of Honorable R. T. Davis, presented to and accepted by the governor on the 24th day of December 1884.















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